

**CM 2/27/12**

Regular Meeting of Mayor and Council – February 27, 2012  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

**Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)**

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

Carpo - Present

Esposito - Present

Furgione - Present

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

#R027A-2012 Executive Session

#R027A-2012

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. Drug Treatment Center Litigation  
Deductible  
Michael Malinsky Esq. Fee
2. Pulte Litigation
3. Rescue Squad Agreement (Lease)  
Leadership Change
4. Cavuto: Resolution of Litigation
5. COAH Litigation
6. Through the Fence Agreement
7. Aviation Fatality
8. Public Works/Administrator Applications

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, the resolution is adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilpersons:  
Carpo - Present  
Esposito - Present  
Furgione - Present  
Pullia - Present  
Rodio - Present  
Torrissi - Present  
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese of ARH, Town Engineer

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session 1/23/12  
Regular Meeting 1/23/12  
Executive Session 2/13/12  
Special Meeting 2/13/12

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, the minutes are approved.

ROLL CALL

Councilpersons:  
Carpo - Yes  
Esposito - Yes  
Furgione - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Honor Retirees

## CM 2/27/12

Mayor DiDonato presented plaques to Sergeant Angel Mojica and Mr. Lance Schiernbeck, Road Superintendent, honoring them for their years of service with the Town of Hammondon.

### Two Minute Recess

Mayor DiDonato called a two minute recess for those in the audience to congratulate the retirees.

### COMMITTEE REPORTS

#### Administration -Councilperson Esposito

Report on Revitalization Board Meeting Dates and Events  
Looking for Volunteers Town Clean Up Day (Call Mainstreet) March 10  
Report on Farmer Market

#### Business & Industry-Councilperson Esposito

No report this evening.

#### Education-Councilperson Furgione

Board of Education Meeting this Thursday to introduce budget  
Update on elementary school playground  
Update on union negotiations

#### Public Works & Transportation-Councilperson Rodio

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize clerk to advertise for part time laborers at highway department not to exceed 29 hours \$10.00 - \$12.00 hour.

### ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#### Councilman Rodio report continued:

Update on proposed road projects

Update on Highway Department work/projects

Reminder Bulky pickup March 5-9

Reminder Brush pickup March 12-15

#### Law & Order-Mayor DiDonato

Law and Order Committee meeting to be held Tuesday, February 28 at 2:30 pm

#### Quality of Life – Councilperson Torrissi

##### Authorize Payment Membership Dues

Motion by Councilperson Torrissi, seconded by Councilperson Carpo, authorize a purchase order in the amount of \$380 for Environmental Commission members dues.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Purchase Trees for Arbor Day

Motion by Councilperson Torrissi, seconded by Councilperson Carpo, authorize a purchase order in the amount of \$175 to purchase 300 trees for Arbor Day.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Water & Sewer – Councilperson Pullia

Report on action items to be taken up under New Business and Resolutions this evening

Report Pine, Basin and Oak Road water sampling by DEP at no cost to the homeowners

ENGINEER REPORT

**SEWER & WATER ACTION ITEMS**

**1. Pine, Basin & Oak Road Water Main Extension, Well Contamination, Cultural Resource Quotes (ARH #11-30138):**

At the last meeting a public information session was conducted attempting to obtain a pulse from the affected residents of the project. Certified mailings advising of the session were mailed to all affected property owners not only those within the Contaminated Known Extent (CKE) but those outside the CKE as well. Less than 10 residents spoke of which only one expressed total opposition to the project. The consensus of residents were essentially opposed to the requirement to seal their wells due to the ample acreage each have and thus the potential expense to irrigate their lawns with public water. As a result, it was agreed that the Mayor would correspond with the applicable NJDEP agent to determine whether the mandatory well sealing could be waived. The letter was written and a response was received denying the request. The Town was also asked during the public session to consider waiving the connection fee to those in the CKE as a consolation to having to seal their wells. Furthermore, due to the testimony that certain wells were actually improving with water quality results, the possibility of having the funding reduced for the project by the Spillfund Program is currently being contemplated.

**CM 2/27/12**

A decision to proceed must be made by Council since bids have been taken. A bond ordinance to cover this project was adopted in late 2011 in the amount of \$4,600,000.00 of which a upper level of approximately \$1.2 million could be available as a grant.

As a reminder, bids were received on December 29, 2011. Within the bidding process there were three (3) separate bids solicited:

- Contract 1A and 1B – Water main extension
- Contract 2 – On-site service connection from curb line to structure
- Contract 3 – Well Sealing

There were nine (9) bids submitted. Only one (1) bid each was presented for Contracts 2 and 3. Based on our recommendation, Contract 2 and 3 bids were rejected on January 1, 2012, were re-bid on January 18, 2012 and the results received. Also, the PWTC is favoring full width restoration of the affected areas thus resulting in the following bid values associated with this project:

Contract 1 - Lafayette Utilities	\$2,894,999.50
Contract 2 - Helmer Construction	\$381,250.00
Contract 3 - Steffen Drilling	\$23,995.00
	<b>\$3,300,244.50</b>

An extension to award the contract for Contract 1 (Lafayette Utilities) was granted until March 30, 2012. As for Contracts 2 and 3, bids were received on January 18, 2012. A 60 day window for a decision would be March 18, 2012. In order to award the contract, a Certificate of Availability of Funds must be issued. Since an adopted funding ordinance is in place all three contracts can be awarded at this meeting.

Contracts 1 thru 3 are funded in part by New Jersey Environmental Infrastructure Trust Fund (NJEIT) as well as the NJDEP Wellfield Remediation Program. Under each program there are certain eligible versus ineligible costs. The strategy of moving forward on this project that still remains is to take advantage of attractive financing offered to the Town. As a reminder, this project is funded by NJDEP-Wellfield Remediation in the amount of \$770,000.00, which is all grant (*full release is in negotiation*). The balance, for the most part, is covered by NJEIT which offers 75% of the remaining eligible project costs at zero percent interest and the remaining portion at half of the market rate. Additionally, there is an opportunity at the end of the project that 20% from NJEIT could be eligible for loan forgiveness.

No action taken this evening.

**SEWER & WATER INFORMATIONAL ITEMS:**

**3. Hammonton Water System - Radium (ARH #11-30150):**

Filter Media Re-Bid:

As previously reported, the final version of the agreement has been accepted and the Mayor will execute same. The actual need for the media purchase does not take effect until the equipment is installed and operational.

ACO Status:

The current ACO schedule is shown for convenience:

- a) Submit to the Department's Bureau of Water Systems and Well Permitting an administratively complete permit application for construction of treatment facilities no later than January 1, 2012.
- b) Begin Construction of treatment facilities: no later than April 1, 2012.
- c) Complete construction and commence operation of treatment facilities: no later than April 1, 2013.
- d) Comply with Gross Alpha and Radium 226 & 228 MCLs: no later than May 1, 2013.

We have complied with the permit submission deadlines referenced above and are awaiting permit release before we can proceed with the next step, that being advertisement for bid to achieve the construction start milestone. The ability to meet the construction start requirement by April 1, 2012 appears to be unlikely since permits have not yet been received. Assuming BSDW issues the permit as proposed by the end of February, that would leave the month of March to initiate the bidding process. Consequently, the month of April would involve the bid award and contract execution, bonding and insurance phase. The earliest that Notice to Proceed could be granted would be in May.

Therefore, due to the permit release being outside of the Town's control and at this juncture, we have only one issue regarding the site plan drainage as reported by the Pinelands, we have proposed to Southern Enforcement a revision to the schedule as follows:

June 1, 2012	Initiate Construction.
June 1, 2013	Complete Construction.

The request was made within our monthly progress report as filed on February 15, 2012. We are awaiting a response.

Design Contract:

As a reminder, ARH worked on the design plans and specifications with a partial allocation of funds since an Ordinance would need to be introduced for the entire radium abatement effort. On February 16, 2012 a comprehensive report was provided to the PWTC so that the level of funding needed can be identified. The Ordinance is important so that the Town has sufficient funds to award the contract when bid and avoid penalties for non-compliance to the ACO.

**4. Water Diversion Permit (ARH #11-30088):**

The conclusion of the increase in water diversion rights remains dependent on the revision to the rate schedule. The rate schedule revision is contingent upon factoring in the impact of the radium abatement expenses as well as the Northwest Water main project. Until the rate schedule is revised, no increase in water diversion will become official. To our knowledge, Council is reviewing the matter.

**5. Route 54/Bellevue Avenue Utilities (ARH #11-50120):**

The sub-contractors have completed all of their required punch list items. We are currently waiting for the Contractor to provide outstanding items, allowing the contract to be closed out. Unfortunately in order to close out this project there are a few issues that need to be addressed. There are currently claims in against the payment bond by the sub-contractors. The Contractor cannot close out the project without a release of liens form filled out by the sub-contractors. Until the issues that have led to the claims against the payment bond are resolved we will not be able to close out this project. We will make efforts to move this project to closure; however potential litigation issues may continue to delay this process.

**6. Mandatory Sanitary Sewer Connection Waiver Ordinance Modifications (ARH #11-01000):**

We have reviewed the Ordinance modifications as prepared by the Town Solicitor and have made some minor revisions to same which we forwarded to his office. The revisions will be reviewed by the PWTC. Once approved, the Ordinance should be introduced for one of the early meetings in 2012. Once adopted, the property owners along portions of the White Horse Pike, Moss Mill Road and Boyer Avenue will be notified of the Ordinance revisions and be given one year to connect into the sanitary sewer main if they have not already completed their connection.

**7. Old Forks Road Sanitary Sewer Extension – Phase II (ARH #11-50141):**

We have completed the revisions as requested and have reviewed same with the PWTC. The costs for construction will be reviewed and if accepted, possible funding could be established in the 2012 budget.

8. **Boyer Avenue Land Application and Surface Water Permit Appeal (ARH #11-50058):**  
Again this month, we have yet to receive feedback from the progress report as prepared by Omni Environmental that was submitted to Pinelands and NJDEP on November 1, 2011.

**PUBLIC WORKS INFORMATION ITEMS**

9. **Boyer Avenue Recreation Complex (ARH #11-75003):**  
*Contract #1:* Bids were received on February 15, 2012. There were eight (8) bidders on this project, and the apparent low bidder for all award scenarios was Eagle Construction. At present time we are aware of \$1.05 Million from the Green Acres Program that is available for this project. It is our understanding additional funds are being allocated toward the project. Once the available funds are known we will provide a recommendation of award. The base bid was valued at just under \$1.45 Million.
10. **Community Development Block Grant (CDBG) Funding (ARH #11-40044):**  
We have forwarded the bid documents to the Solicitor and the ACIA for review and approval. Once we receive their review, the contracts for the program will be sent to the contractor for signature. Once everything is signed by the contractor and the Town we will set up a preconstruction meeting prior to the start of work. We will keep Council informed of further progress.
11. **Fiscal Year 2012, NJDOT, Federal Aid Safe Routes to School Program (ARH #11-01071.02): No Status Change**  
As authorized by Council at the last meeting, our office prepared and submitted an application to NJDOT for this program for sidewalk improvements along the following streets:
1. North Street
  2. Fourth Street
  3. Walnut Street towards Old Forks Road
  4. Tilton Street
  5. Fairview Avenue

A total of \$625,000.00 was requested from NJDOT to help fund these improvements. The application was submitted on December 21, 2011.

12. **Hammonton Tax Map Revisions, Property Revaluation (P2011.0485):**  
We met with the Mayor, Solicitor, Tax Assessor and various members of Council at different times to discuss the tax map related items and options involved with the upcoming revaluation which is mandated by the courts. The Mayor asked for a proposal for two tax mapping options which were provided and discussed to include the following:
1. A new State-certified, digital tax map consistent with standards presently being considered by the State that would also provide a long term benefit and multi uses to the Town and its various departments.
  2. Completion of revisions to the present tax map consistent with the State Division of Taxation review for the existing map with the intent to have the current map approved for the revaluation purposes only.

It is our understanding that the revaluation schedule has been discussed with the courts and a timeframe for completion established. Whatever direction is selected by the Town for completion of the Tax Map revisions which are needed before any of the revaluation work is conducted, the funding and authorization to start the process must begin. The goal is to complete the required work and meet the deadlines established by the Court while allowing sufficient time for the revaluation process to occur. We will await Council's direction and establishment of the project funding so that a purchase order could be issued and the work started.

13. **Multimodal Grant Applications (ARH #11-01053): - No Status Change**

As previously reported, the NJDOT had announced they would be receiving applications for the Multimodal Grant program. As authorized, our office worked with L.R. Kimball to submit an application for a new taxiway and runway lighting system. It is anticipated NJDOT will announce award allotments in early 2012.

**14. Municipal Aid Applications (ARH #11-40041): - No Status Change**

As previously reported, the NJDOT had announced they would be receiving applications for Municipal Aid, Bikeway and Safe Streets to Transit programs. As authorized we have applied for the following projects:

Municipal Aid – Pratt Street from Egg Harbor Road to Tilton Street

Bikeways – Phase I to provide a link from NJTRANSIT Train Station to the Lake Park. Phase I would utilize existing ROW and easements to extend from Eleventh Street to the Veterans Place rail road crossing.

Safe Streets to Transit – This would extend decorative sidewalk from Historic Train Station to Peach Street. Along with sidewalk along Front Street between Passmore Avenue and Line Street on the Fire Station side.

It is anticipated NJDOT will announce award allotments in 2012.

**15. Drainage Projects: Anderson Avenue (ARH #11-60208.01), Lakeshore and White Horse Pike (ARH #11-60202.03), Jacobs Street/First Road Intersection (ARH #11-60207.01):**

We have completed a conceptual design for the First Road/Chew Road area, along with the Anderson Avenue/Egg Harbor Road area. We have briefly discussed same with the PWTC and with representatives from Atlantic County. Although they would not commit to any approval or whether any financial assistance would be available, it seemed they were generally in favor of the improvements. We are in the process of modifying the designs as discussed and gathering additional information which the County requested. That information should be submitted to the County shortly. We also reviewed a conceptual drainage improvement design for the Lakeview Avenue, Lakeshore Drive, White Horse Pike area with the PWTC. We are presently making the revisions to the conceptual plan as discussed. We will keep Council informed of further progress.

**16. 2012 Roadway/Drainage Projects (ARH #11-01000):**

We have met with the PWTC to discuss various roadway, drainage and possible utility replacement projects for funding consideration within the 2012 budget year. We have prepared the proposals on an individual road basis and will review same with the PWTC. If multiple roadways are to be completed, there will be a cost savings to be derived which will be passed along to the Town. The following sections of roadways were requested for consideration within the Roadway Reconstruction Program which will include various drainage and utility line replacement where needed:

- Packard Street – Bellevue Avenue to Grape Street
- Second Street – Vine Street to Cherry Street
- Grape Street – Egg Harbor Road to Central Avenue
- Grape Street – Central Avenue to Valley Avenue
- Pratt Street – Egg Harbor Road to Tilton Street
- Pratt Street – Tilton Street to Packard Street
- Pratt Street – Packard Street to Fourth Street

Once we receive further direction from the PWTC, we will present same to the Mayor and Council for action.

**17. Berenato/Cioffi Second Road Property (ARH #11-01083.02): No Status Change**

We will need to meet with the PWTC and the Solicitor to further discuss this property and seek direction on how to proceed.

**18. Myrtle Street Pinelands Application (ARH #11-01000): No Status Change**

We will be preparing a proposal to the Town that would provide a cost to respond to the Pinelands inquiries related to roadway surface improvements.

**19. Atlantic County Recreation and Open Space Funds (ARH #11-01070):**

There have been some general discussions about possibly requesting the County to allow for the reallocation of the present acquisition funds for use in construction of the fields at the Boyer Avenue site and possibly improvements at the lake park rather than the purchase of additional ground. We will await Council's direction associated with their inquiries with the County and be available to discuss this project with the PWTC and Solicitor as directed at the appropriate time.

**20. Bella Vita Subdivision – Fairview Avenue (ARH #11-20195):**

On Saturday, 2/4/12, an onsite inspection was conducted with the Quality of Life Committee, the Developer and representatives from the Homeowner's Association. A punch list was established for the developer to complete prior to the release of the Project Maintenance Bond. Once those items are complete, a subsequent inspection will be conducted and report provided to Council for consideration.

**21. Calvary Chapel Church, Egg Harbor Road (ARH #11-12039):**

On Saturday, 2/4/12, an onsite inspection was conducted with the Quality of Life (Q of L) Committee, the Developer and representatives from the church. It was observed that the majority of the site improvements were completed to allow for a safe access to the site in conjunction with the issuance of a Temporary Certificate of Occupancy (TCO). The remaining minor items that need to be addressed were on the schedule for completion or for which a Performance Guaranty or Letter of Credit with Susquehanna Bank was established. No recommendation for release or reduction of the Performance Guaranty was sought at this time. A subsequent inspection by the Q of L will be conducted at the appropriate time when all improvements are completed.

**SOLICITOR REPORT**

1. Revaluation – Tax Map
2. Mandatory Sewer Connection Ordinance
3. Third Street Speed Reduction
4. Triad/Traditions/Pulte Issues  
Litigation re: Pulte Bond  
Landscaping Quotes Provided by Homeowner's Assoc.  
Wet Basin Proposal
5. Ordinance Amendment – Speed Limit at Traditions at Blueberry Ridge  
(Internal Roads)
6. COAH: Water Rates
7. Pinelands Clustering Ordinance
8. Rescue Vehicle Lease/Assumption

**CM 2/27/12**

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize payment \$18,000.00 town share due out of \$45,000 total cost which was partly funded anonymously and finalization of lease/purchase rescue vehicle.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

9. Hangar Construction Agreement

MAYOR REPORT

DEP Representative, Ed Putnam, Email regarding contamination at Village Shops was read in full

TOWN CLERK REPORT

1. Accept resignation Paul Fallon Fire Co. #1
2. Accept new member Dane Gelles Fire Co. #2
3. Approve County Aerial Mosquito Control Agreement (no cost)
4. Authorize payment time off balances due Angel Mojica \$21,922.75
5. Authorize payment time off balances due Jerry Martinez \$21,578.87

Motion by Councilperson Esposito, seconded by Councilperson Furgione, town clerk report items 1-5 are approved.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Torrissi, seconded by Councilperson Rodio, the bill list and purchase orders for February 2012 are approved.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio – Yes (recused on White Star only)  
Torrissi - Yes  
Mayor DiDonato – Yes (recused on Vision Properties only)

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES  
Ordinance #002-2012 Repeal Chapter 48-12

Ordinance #002-2012  
AN ORDINANCE REPEALING CHAPTER 48-12 PERSONNEL POLICIES  
OF THE CODE OF THE TOWN OF HAMMONTON

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON THAT Chapter 48-12 of the Code of the Town of Hammonton is repealed; and

BE IT FURTHER RESOLVED that employees who have 31 or more years with the Town of Hammonton effective March 26, 2012 will be eligible for the \$250.00 per year until 12/31/2013; and

BE IT FURTHER RESOLVED to the extent not inconsistent herewith, all other sections of this chapter shall remain in full force and effect; and

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

ROLL CALL

Councilpersons:  
Carpo - Yes  
Esposito - Yes  
Furgione - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #003-2012 Refunding Bond Ordinance

REFUNDING BOND ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING GENERAL OBLIGATION REFUNDING BONDS OF THE TOWN, DATED APRIL 1, 2004, ISSUED IN THE ORIGINAL PRINCIPAL AMOUNT OF \$5,260,000 TO THE UNITED STATES DEPARTMENT OF AGRICULTURE RURAL DEVELOPMENT, APPROPRIATING \$3,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,800,000 REFUNDING BONDS OF THE TOWN FOR FINANCING THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

**CM 2/27/12**

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") is hereby authorized to refund all or a portion of the outstanding General Obligation Refunding Bonds of the Town, dated April 1, 2004, issued in the original principal amount of \$5,260,000 to the United States Department of Agriculture Rural Development (the "2004 Bonds"). The 2002 Bonds maturing on or after March 1, 2015 (the "Refunded Bonds") may be redeemed at the option of the Town in whole or in part on or after March 1, 2014 (the "Redemption Date") at a redemption price equal to 100% of such Refunded Bonds, plus unpaid accrued interest, if any, to the Redemption Date.

Section 2. In order to finance the cost of the purpose described in Section 1 hereof, negotiable refunding bonds (the "Refunding Bonds") are hereby authorized to be issued in the aggregate principal amount not to exceed \$3,800,000 pursuant to the Local Bond Law of the State of New Jersey.

Section 3. An aggregate amount not exceeding \$110,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of Refunding Bonds authorized herein.

Section 4. The supplemental debt statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the \$3,800,000 amount of the Refunding Bonds authorized by this refunding bond ordinance and that an amount representing the \$3,370,000 principal amount of the bonds to be refunded will be deductible from gross debt. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

Section 5. The purpose of the refunding is to effect an interest cost savings for the Town.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the Mayor or the Chief Financial Officer of the Town as to the indebtedness to be financed by the issuance of the Refunding Bonds authorized herein.

Section 7. The Mayor, the Chief Financial Officer, the Town Clerk and other appropriate representatives of the Town are hereby authorized to prepare such documents, to publish such notices and to take such other actions as are necessary or desirable to enable the Town to prepare for the sale and the issuance of the Refunding Bonds authorized herein and to provide for the redemption of the 2004 Bonds referred to in Section 1 hereof.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption and endorsement of the consent of the Local Finance Board upon a certified copy of this ordinance as finally adopted.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #004-2012 Reappropriation Bond Ordinance Various Sewer and Water Projects

Ordinance #004-2012

ORDINANCE REAPPROPRIATING \$369,713.76 PROCEEDS OF  
OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN

**CM 2/27/12**

**ORDER TO PROVIDE FOR WATER AND SEWER IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY.**

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$369,713.76 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
16-05	Well 5 driveway paving, finally adopted 5/23/05	\$700.10
16-05	Bellevue Avenue water main replacement, finally adopted 5/23/05	\$1,500.00
21-2008	Acquisition of antenna, finally adopted 7/28/08	\$1,974.00
7-2010	4 <sup>th</sup> Street water improvement, finally adopted 6/7/10	\$208,855.46
23-2010	Various water improvements, finally adopted 10/25/10	\$50.88
20-2003	Sewer utility improvements, finally adopted 8/25/03	\$6,763.75
28-2003	Maintenance of Boyer Avenue trenches, finally adopted 11/17/03	\$1,799.36
9-04	Sewer extensions to Egg Harbor Road (non-sewer sections), finally adopted 5/24/04	\$790.00
9-04	Repairs to Bellevue Avenue sewer, finally adopted 5/24/04	\$17,944.50
4-2006	Central Avenue sewer improvement, finally adopted 3/27/06	\$3,100.01
6-2009	Sewer improvements to White Horse Pike/Moss Mill Road, finally adopted 3/23/09	\$126,235.70

Section 2. The \$369,713.76 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for water and sewer improvements consisting of water and sewer main extensions, roadway restorations and various other restorations, and drip irrigation.

Section 3. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**ROLL CALL**

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**RESOLUTIONS**

**#R028-2012 Approve Cruisin Mainstreet Event and Road Closure**

**RESOLUTION #028-2012**

**CM 2/27/12**

**RESOLUTION AUTHORIZING AND ENDORSING  
CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT**

WHEREAS, MainStreet Hammonton Organization has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of MainStreet Hammonton; and

WHEREAS, Numerous Town residents have requested two Cruisin' MainStreet events each year; and

WHEREAS, Friday, May 18, 2012 (rain date May 19 ) is the scheduled date for the MainStreet Hammonton Annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Friday, September 7, 2012 (rain date September 8) is the scheduled date for the MainStreet Hammonton Semi-annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 4:30 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;  
N. Egg Harbor Road between Rt. 54 and Pleasant Street;  
Orchard Street Railroad Crossing;  
Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;  
East side of Rt. 54 between Third Street and Egg Harbor Road;  
Both sides of Railroad Avenue between 12<sup>th</sup> Street and Orchard St;  
Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the May 18, 2012 (rain date May 19) and the September 7, 2012 (rain date September 8) "Cruisin' Main Street" events, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#R029-2012 Authorize 2011 Recycling Tonnage Grant Application

RESOLUTION # 029-2012

**RESOLUTION AUTHORIZING GRANT APPLICATION  
FOR RECYCLING TONNAGE GRANT FOR YEAR 2011**

**CM 2/27/12**

- WHEREAS*, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
- WHEREAS*, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
- WHEREAS*, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and
- WHEREAS*, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
- WHEREAS*, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of the municipality to recycling and to indicate the assent of the Town of Hammonton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and
- WHEREAS*, Lance Schiernbeck is herein designated as the individual authorized to ensure that the application is properly completed and timely filed.

*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 Town of Hammonton hereby endorses this submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and therefore designates Lance Schiernbeck to ensure that the application is properly filed; and

*BE IT FURTHER RESOLVED* that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purpose of recycling; and

*BE IT FUTHER RESOLVED* that the Mayor, Town Clerk/Administrator and Lance Schiernbeck, Recycling Coordinator are hereby authorized to execute any and all documents in furtherance of this Resolution.

#R030-2012 Eliminate Municipal Utility Department Utility Billings

#R 030-2012

A Resolution To Eliminate the Municipal Utilities Department Utility Billings

*WHEREAS*, the Town of Hammonton properties located at 13 Lincoln Street and 100 Pleasant Mills Road are currently receiving utility bills;

*WHEREAS*, the payments for the utility bills are made from the utility budget and placed back into the utility bank statement;

*WHEREAS*, the transaction is not considered revenue for the Town of Hammonton;

*NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON* that the utility bills for Block 4302 Lot 7, Pleasant Mills Rd. and Block 2515 Lot 1, Lincoln St. be discontinued.

#R031-2012 Authorize American Cancer Society Bikathon and Road Closure

RESOLUTION #031-2012

RESOLUTION AUTHORIZING AND ENDORSING  
AMERICAN CANCER SOCIETY BIKATHON AND ROAD CLOSURE

WHEREAS, the **American Cancer Society** has and continues to promote the Town of Hammonton with their Annual Bikathon; and

WHEREAS, Mayor and Council has and continues to support the efforts of the American Cancer Society; and

WHEREAS, **July 8, 2012** is the scheduled date for the annual bikathon;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the American Cancer Society Bikathon is acknowledged and endorsed with the following streets being closed:

Egg Harbor Road (Route 561) from 9th Street to Park Ave.  
Hours of road closure 8:30 am to 3:00 pm

#R032-2012 Approve NJEIT Agreements

**#R 032 -2012**

**RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM**

**WHEREAS**, the Town of Hammonton (the "Town"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Town to provide for upgrades to the trickling filter, bar screen, secondary digester and clarifier in the Town (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2012 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's General Improvement Bonds, Series 2012, in an aggregate principal amount not to exceed \$4,600,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

**WHEREAS**, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Town Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Town and the escrow agent named therein.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Town as follows:

**Section 1.** The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Town by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Town (collectively, the "Town Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Town Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Town Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Town as determined hereunder and to affix the corporate seal of the Town to such Financing Documents.

**Section 2.** The Authorized Officers of the Town are hereby further severally authorized to (i) execute and deliver, and the Town Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Town to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Town Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

**Section 3.** This resolution shall take effect immediately.

**Section 4.** Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

### #R033-2012 Authorize NJEIT Form and Sale

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$4,600,000 GENERAL IMPROVEMENT BONDS, SERIES 2012, OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE 2012 NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

**WHEREAS**, the Town of Hammonton (the "Town"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Town to provide for upgrades to the trickling filter, bar screen, secondary digester and clarifier in the Town (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2012 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

**WHEREAS**, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

**WHEREAS**, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's General Improvement Bonds, Series 2012, in an aggregate principal amount not to exceed \$4,600,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

**WHEREAS**, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

**WHEREAS**, in connection with the issuance of the Town Bonds to the Program, the governing body of the Town wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Town (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Town Clerk, Counsel to the Town, Project Engineer or Appraiser and/or Bond Counsel to the Town (collectively, the "Town Representatives") on or before the date when the Town is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Town authorizes release of the same.

**NOW, THEREFORE, BE IT RESOLVED** by a 2/3 vote of the full membership of the governing body of the Town as follows:

**Section 1.** In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Town hereby sells and awards its Town Bonds in an aggregate principal amount not to exceed \$4,600,000 in accordance with the provisions hereof. The Town Bonds have been referred to and are described in a bond ordinance of the Town, which bond ordinance is entitled, "BOND ORDINANCE PROVIDING FOR THE NORTHWEST WATER MAIN PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$4,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,600,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF", as finally adopted by the Town at a meeting duly called and held on February \_\_, 2012, at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

**Section 2.** The Chief Financial Officer of the Town (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$4,600,000;
- (b) The maturity and annual principal installments of the Town Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Town Bonds;
- (d) The interest rates of the Town Bonds;

**CM 2/27/12**

- (e) The purchase price for the Town Bonds; and
- (f) The terms and conditions under which the Town Bonds shall be subject to redemption prior to their stated maturities.

**Section 3.** Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Town Bonds by the parties authorized under Section 4(c) hereof.

**Section 4.** The Town hereby determines that certain terms of the Town Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered GI-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered GI-2;
- (b) The Town Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Town Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Town Clerk.

**Section 5.** The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

**Section 6.** The law firm of McManimon & Scotland, L.L.C. is hereby authorized to arrange for the printing of the Town Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Town auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Town Bonds. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Town is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Town.

**Section 7.** The Town hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

**Section 8.** The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Town Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Town Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

**Section 9.** This resolution shall take effect immediately.

**Section 10.** Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon & Scotland, L.L.C., bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

**#R034-2012 Authorize Sale of Town Surplus Govdeals.com**

**#R 034 -2012**

**RESOLUTION OF THE MAYOR AND COUNCIL  
OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC,  
STATE OF NEW JERSEY, AUTHORIZING SALE OF SURPLUS PROPERTY**

WHEREAS, the Town of Hammonton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town of Hammonton is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967 / T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
2. The sale will be conducted online and the address of the auction site is govdeals.com.

**CM 2/27/12**

- 3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
- 4. Below is a list of surplus property to be sold:

<u>Year</u>	<u>Model</u>	<u>Serial Number</u>	<u>Minimum Bid</u>
1991	International	1HTGL GDT6 H332 31 M 8	\$4,000.00

#R035-2012 Establish Section 125 Cafeteria Plan

#R 035 -2012

A RESOLUTION ESTABLISHING A SECTION 125 CAFETERIA PLAN  
IN THE TOWN OF HAMMONTON

WHEREAS, P.L. 2011, c.78 requires all local units of government to establish as an employer a cafeteria plan for its employees pursuant to section 125 of the federal Internal Revenue Code, 26 U.S.C. s.125; and

WHEREAS, the Administration Committee of the Town of Hammonton has determined that the attached Section 125 Cafeteria Plan (FSA) will meet employee needs as well as financial obligations of the Town of Hammonton;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the attached Section 125 Cafeteria Plan (FSA) is adopted; and

BE IT FURTHER RESOLVED THAT the attached plan shall take effect July 1, 2012 during the first year of implementation; and

BE IT FURTHER RESOLVED THAT the attached plan shall renew annually on January 1<sup>st</sup> of each year; and

BE IT FURTHER RESOLVED THAT open enrollment for the Town of Hammonton Section 125 Cafeteria Plan (FSA) shall take place annually during the month of October consistent with NJSHBP, Dental and Vision plan open enrollments; and

BE IT FURTHER RESOLVED THAT the Municipal Clerk is authorized to update the Town of Hammonton Employee Handbook to reflect the FSA Cafeteria Plan Policy.

#R036-2012 Authorize Farmer's Market and Road Closure

RESOLUTION # 036 -2012

RESOLUTION AUTHORIZING AND ENDORSING  
HAMMONTON FARMER'S MARKET

WHEREAS, MainStreet Hammonton Organization and Hammonton's Green Committee have and continue to promote the Town of Hammonton with scheduled events in the downtown business district; and

**CM 2/27/12**

WHEREAS, Mayor and Council has and continues to support the efforts of MainStreet Hammonton and Hammonton's Green Committee; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Farmer's Market to take place the following **Friday evenings between 5:00 and 8:00 p.m.:**

**June 15, 22, 29**

**July 6, 13, 20, 27**

**August 3, 10, 17, 24, 31**

BE IT FURTHER RESOLVED that approval be granted for the **closing of Central Ave ( Rt 542) from Bellevue Avenue to Vine Street between the hours of 4:00 and 9:00 p.m.;** and

BE IT FURTHER RESOLVED that in accordance with Town of Hammonton Ordinance #015-2011 Item 2 "MainStreet Hammonton and the Hammonton Revitalization Corporation shall, at their expense, procure and cooperate with the Hammonton Highway Department in the installation of appropriate signage notifying the public of the aforesaid parking restrictions", and

BE IT FURTHER RESOLVED that the Town of Hammonton will provide trash removal and police assistance during this event; and

#R037-2012 Authorize Application Local Finance Board

#R037-2012

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:2-51

**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:2-51 for its review and approval of a refunding bond ordinance in order to provide debt service savings to the Town; and

**WHEREAS**, the Town believes that:

- (a) it is in the public interest to accomplish this 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 are not unreasonable or exorbitant; and
- (d) the purpose 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, Financial Advisor and auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

**CM 2/27/12**

**Section 2.** The Clerk of the Town is hereby directed to prepare and to file copies of the proposed bond ordinance 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, recommendations and approvals as provided by the applicable New Jersey Statute.

**#R038-2012 Authorize Temporary Emergency Appropriation**

RESOLUTION # 038-2012  
Resolution of the Mayor and Common Council of the Town of Hammonton,  
County of Atlantic, State of New Jersey, making temporary emergency appropriations  
for the Current Fund, Municipal Utilities Department

Whereas, N.J.S.A. 40A:4-20 provides that temporary emergency appropriations may be made for the period between the beginning of the fiscal year and the date of adoption of the budget for said year; and

Whereas, the date of this resolution is not within the first thirty days of January; and

Now, Therefore Be It Resolved by the Mayor and Common Council of the Town of Hammonton, New Jersey, that the following temporary emergency appropriations are hereby made:

<b>Admin &amp; Executive</b>	
Salaries & Wages (2-01-20-101-100)	\$10,000.00
<b>Financial Admin.</b>	
Salaries and Wages (2-01-20-103-100)	\$10,000.00
Operating Expense (2-01-20-103-200)	\$5,000.00
<b>Assessment of Taxes</b>	
Salaries & Wages (2-01-20-104-100)	\$10,000.00
Operating Expenses (2-01-20-104-200)	\$1,000.00
<b>Collection of Tax</b>	
Salaries & Wages (2-01-20-105-100)	\$10,000.00
Operating Expenses (2-01-20-105-200)	\$1,000.00
<b>Legal</b>	
Operating Expenses (2-01-20-106-200)	\$10,000.00
<b>Computer</b>	
Salaries & Wages (2-01-20-133-100)	\$10,000.00
Operating Expenses (2-01-20-133-200)	\$3,000.00
<b>Planning Board</b>	
Salaries & Wages (2-01-21-109-100)	\$5,000.00
Operating Expenses (2-01-21-109-200)	\$1,000.00
<b>Board of Adjustment</b>	
Operating Expenses (2-01-21-110-200)	\$500.00
<b>Construction Official</b>	
Salaries & Wages (2-01-22-126-100)	\$10,000.00
<b>Group Insurance</b>	
Operating Expenses (2-01-23-114-200)	\$200,000.00
<b>State Fire</b>	
Salaries & Wages (2-01-25-118-100)	\$7,000.00
<b>Police</b>	
Salaries & Wages (2-01-25-119-100)	\$300,000.00
Operating Expenses (2-01-25-119-200)	\$20,000.00
<b>Police Radio</b>	

**CM 2/27/12**

Salaries & Wages (2-01-25-120-100)	\$10,000.00
<b>Prosecutor</b>	
Operating Expenses (2-01-25-123-200)	\$2,500.00
<b>Public Bldgs Grds</b>	
Operating Expense (2-01-26-108-200)	\$5,000.00
<b>Road Repairs &amp; Maint.</b>	
Salaries & Wages (2-01-26-123-100)	\$20,000.00
Operating Expenses (2-01-26-123-200)	\$50,000.00
<b>Environmental Commission</b>	
Operating Expense (2-01-27-113-200)	\$500.00
<b>Dog Regulations</b>	
Operating Expense (2-01-27-125-200)	\$1,500.00
<b>Parks Commission</b>	
Salaries & Wages (2-01-28-130-100)	\$300.00
<b>Airport</b>	
Salaries & Wages (2-01-30-137-100)	\$300.00
Operating Expenses (2-01-30-137-200)	\$2,000.00
<b>Gasoline</b>	
Operating Expenses (2-01-31-11E-200)	\$15,000.00
<b>Natural Gas</b>	
Operating Expenses (2-01-31-11F-200)	\$10,000.00
<b>Electric</b>	
Operating Expenses (2-01-31-11G-200)	\$18,000.00
<b>Telephone</b>	
Operating Expenses (2-01-31-139-200)	\$13,000.00
<b>DCRP</b>	
Operating Expenses (2-01-36-149-200)	\$300.00
<b>Municipal Court</b>	
Salaries & Wages (2-01-43-201-100)	\$10,000.00
Operating Expenses (2-01-43-201-200)	\$1,500.00

**#R039-2012 Authorize Transfer of Funds**

#R 039-2012

RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS  
IN TOWN OF HAMMONTON MUNICIPAL BUDGET

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

FROM: In CAP		
Electric OE (1-01-31-11G-200)		\$20,600.00
TO: In CAP		
Airport OE (1-01-30-137-200)		\$7,500.00
TO: Legal OE (1-01-20-106-200)		\$13,100.00
FROM: In CAP		
Street Lighting OE (1-01-31-138-200)		\$6,000.00

TO: In CAP  
Airport OE (1-01-30-137-200)

\$6,000.00

#R040-2012 Authorize Application Environmental Infrastructure Financing

RESOLUTION #040-2012  
AUTHORIZING APPLICATION FOR A LOAN FROM THE NEW JERSEY  
ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM

WHEREAS, the Town of Hammonton intends to file an application with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for the Fiscal Year 2013 Water Treatment Plant Upgrades at Wells #5 / #7; and

WHEREAS, this particular application can be submitted under the "Second Chance" opportunity for FY 2013; and

WHEREAS, the application for FY 2013 Second Chance opportunity is due by March 5, 2012; and

WHEREAS, an authorized representative needs to be established by Mayor and Council of the Town of Hammonton for all matters relating to the above project; and

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Town Council the following:

1. That Joseph C. Pantalone of the firm of Adams, Rehmann & Heggan Assoc., Inc. be authorized to act as the Authorized Representative to represent the Town of Hammonton in all matters relating to the project undertaken pursuant to the above reference New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 850 S. White Horse Pike - PO Box 579, Hammonton, NJ (609) 561-0482, [jpant@arh-us.com](mailto:jpant@arh-us.com).
2. That the representative be hereby authorized to make the application for funding by March 5, 2012.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, resolutions 28-40 are adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Richard Byrne – Jamestown Blvd.

Mr. Byrne advised of a letter he wrote in objection of a designation of roadway to former President Ronald Reagan as he does not believe President Reagan traveled that particular roadway. He urged Mayor and Council to appeal to legislature concerning this bill.

Mr. Byrne asked if the Council Meeting agenda can be posted as a pdf document on town website to aid the public in printing a viable copy?

Mayor asked Mr. DeStefano if this is possible?

Mr. DeStefano advised that the individual should be able to convert the document into pdf themselves.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, authorize Councilman Torrissi to draft a letter to legislature concerning the Ronald Reagan roadway bill.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Anthony Mortellite – Broadway

Mr. Mortellite advised he is against the hiring of a Town Administrator. He understands the Town does have someone currently on staff that was sent to school by the Town and has the proper license to run the Highway Department. He suggested could Anthony DeCicco, who now oversees the previous Sewer and Water Departments, oversee the Highway Department as well? Mr. Mortellite continued there has always been a Clerk/Administrator and he feels April Boyer Maimone is qualified to administrate for the Town of Hammonton. Referring to the advertisement for Public Works/Business Administrator, he does not believe there is anyone out there that could possibly fit the criteria. He feels if the Town of Hammonton is running properly, Mayor and Council do not need to make any changes.

John Adolph – Traditions at Blueberry Ridge

Mr. Adolph thanked Mayor and Council and Mr. Schiernbeck for their help in placement of signage. He then had additional items to report to council as well as questions concerning the development to which council responded.

The Solicitor clarified that the Hammonton Rescue Squad is not disbanded as he may have accidentally eluded to in his report earlier this evening.

Mark Santora – Old Forks Road

Mr. Santora posed questions pertaining to discussion between Solicitor and Mr. Adolph to which the Town Solicitor responded. Mr. Santora then posed additional questions concerning the basin to which Mr. Vettese of ARH

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responded. Mr. Santora also questioned the easement. He is concerned with down stream residents in this area. He once again asked for the status of the remainder of the records that Mr. Howell is processing from Mr. Santora's records request?

Mr. Howell, Town Solicitor, responded he is still working on same.

Mr. Santora responded there is a time limit for response to records request and this has taken some time already.

Mr. Howell responded he will be in touch with Mr. Santora within the next couple weeks.

**MEETING ADJOURNED**

Motion by Councilperson Rodio, seconded by Councilperson Carpo, the meeting is adjourned. Motion carried.

April Boyer Maimone, Municipal Clerk