

Regular Meeting of Mayor and Council – March 26, 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

#R040F-2012-Executive Session

#R040F-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. Public Works/Business Administrator Position
2. Thru the fence (notice sent, certification filed)
3. Potential meter reading claim
4. Stockton (Martell)
5. Airport Fatality Claim
6. Meeting with Attorney re: Route 54 Improper Material Disposal

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 Esposito, seconded by Councilperson Rodio, 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

Edward Wuillermin

Mr. Wuillermin stated he wanted to endorse the proposed Public Works/Business Administrator position.

Larry Delaney

Mr. Delaney stated he is against the proposed Public Works/Business Administrator Position.

APPROVAL OF MINUTES

Special Meeting – March 12, 2012  
Executive Session – March 12, 2012

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, 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. Hire 2 police officers effective 3/27/12:  
Kevin Sloan \$46,580 annual salary, full time with benefits  
Ryan Witczak \$46,580 annual salary, full time with benefits  
Hire 1 Class II Special Police Officer effective 3/27/12:  
Kyle Ambrozaitis \$15.00 hour not to exceed 32 hours per week, no benefits

Motion by Councilperson Carpo, seconded by Councilperson Pullia, authorize the hiring of Kevin Sloan, Ryan Witczak and Kyle Ambrozaitis.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Municipal Clerk Issued Oaths of Office to newly appointed Police Officers
3. Presentation Water and Sewer Rate Increases by Mr. Joseph Hoffman of Bowman & Co.

After a discussion of Mayor and Council and Mr. Bowman, Councilman Furgione stated he understood the increase to the water rates due to water conservation issues with NJ DEP. However, he believed smaller increases through the years would be more beneficial than a very large increase to the user which is what has happened with the sewer rates. Councilman Furgione requested the Mayor review the water moratorium issue.

Mayor DiDonato advised the Town of Hammonton is currently on a water moratorium which may be alleviated with this water rate increase. Mayor DiDonato also advised that with the present economy the Mayor and Council did not want to place a financial burden on the water and sewer users.

4. Hearing Ordinance #002-2012 Repeal Chapter 48-12 Personnel Policies

Motion by Councilperson Rodio, seconded by Councilperson Torrissi, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Furgione, seconded by Councilperson Esposito, the hearing is closed, the ordinance pass second reading and 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.

5. Hearing Ordinance #003-2012 Refunding Bond Ordinance \$3,800,000

Motion by Councilperson Pullia, seconded by Councilperson Torrissi, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Furgione, the hearing is closed, the ordinance pass second reading and is adopted.

ROLL CALL

Councilpersons:

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

6. Hearing Ordinance #004-2012 Reappropriating \$369,713.76 Water and Sewer Improvements

Motion by Councilperson Pullia, seconded by Councilperson Carpio, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Esposito, seconded by Councilperson Pullia, the hearing is closed, the ordinance pass second reading and is adopted.

ROLL CALL

Councilpersons:

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

7. Hearing Ordinance #004A-2012 \$2,100,000 Well 5/7 Project (Radium)

Motion by Councilperson Pullia, seconded by Councilperson Furgione, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, the hearing is closed, the ordinance pass second reading and 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.

8. Hearing Ordinance #004B-2012 Amend Chapter 35 Sections 9 through 12

Motion by Councilperson Esposito, seconded by Councilperson Rodio, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Torrissi, seconded by Councilperson Rodio, the hearing is closed, the ordinance pass second reading and 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.

9. Hearing Ordinance #004C-2012 Establish Public Works Manager/Business Administrator Position & Duties

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

The Solicitor noted an amendment to designate "Department Head" unclassified civil service title and change title to Public Works Manager/Business Administrator.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize first amendment unclassified civil service title "Department Head".

ROLL CALL

Councilpersons:

Carpo - No  
Esposito - Yes  
Furgione - Yes  
Pullia - Yes  
Rodio - Yes

Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi , approve 2<sup>nd</sup> amendment Public Works Manager/Business Administrator.

ROLL CALL

Councilpersons:  
Carpo – No  
Esposito - Yes  
Furgione - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, open to public to discuss the two amendments.

Yuli Chew

Mr. Chew stated he felt the salary for this position is too high.

No one further desired to be heard.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, the hearing is closed, the ordinance pass second reading and is adopted.

Councilperson Furgione questioned the salary to which the Mayor responded.

ROLL CALL

Councilpersons:  
Carpo – No  
Esposito - Yes  
Furgione - Yes  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

10. Hearing Ordinance #004D-2012 Salary Public Works/Business Administrator

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the hearing is closed, the ordinance pass second reading and is adopted.

ROLL CALL

Councilpersons:

Carpo - No

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

11. Hearing Ordinance #004E-2012 - \$30,000 Various Road Improvements

Motion by Councilperson Rodio, seconded by Councilperson Pullia, the ordinance be taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, the hearing is closed, the ordinance pass second reading and is adopted.

Councilman Furgione stated if the Town has a Public Works Manager the Town will realize a savings on various project costs in that the Public Works Manager can also act as a "Clerk of the Works" on behalf of the Town.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito

Report on Public Works Manager/Business Administrator interviews

Business & Industry-Councilperson Esposito

No report

Education-Councilperson Furgione

Report school board meeting scheduled for March 27 and 1 cent reduction

Update on new playground project

Mayor DiDonato commended Loretta Rehmann on her time spent on the board and service to the community.

Public Works & Transportation-Councilperson Rodio

Defer action items to Engineer Report  
Update on roadway paving project  
2012 road project bond ordinance up for second reading this evening  
Report on NJ DOT grant  
Report on Airport Runway Project  
1<sup>st</sup> full week of month is bulky pickup  
2<sup>nd</sup> full week of month is brush pickup

Law & Order-Mayor DiDonato

Hiring of new police officers taken up earlier this evening

Quality of Life – Councilperson Torrissi

Reported on funding applications  
Thanked ACUA for providing assistance with lake cleanup and downtown clean up  
Report on Clean Flow system clean up  
April 7 opening day for trout season

Water & Sewer – Councilperson Pullia

Defer to action items in Engineer Report  
Update DEP testing NW water extension project and funding  
Report on acquisition of rescue vehicle

ENGINEER REPORT

**SEWER & WATER ACTION ITEMS**

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

As a recap of events following the public information session, a letter was written by the Mayor to determine whether the mandatory well sealing could be waived. The NJDEP denied the request. Following this event, the NJDEP re-evaluated the status of ongoing testing and concluded that 9 of the 30 properties originally within the CKE would now be eliminated due to favorable testing results. Ultimately, this reduced the appropriation received by the NJDEP Spillfund Program. A decision to award the contract was tabled pending discussions with NJDEP and ultimately a receipt of a funding determination from NJEIT.

During the past month, it was decided to encourage residents within the area to re-test their private wells since there has been some discrepant results leading up to the removal of properties from the CKE. The NJDEP agreed to cover the cost of the re-testing process. Approximately, 80 letters were sent whereby 30 residents responded to have their wells re-tested. The testing event is occurring on March 20 and 21.

Also, during the past month, NJEIT has provided a determination of eligible costs whereby they will be covering the following:

Total eligible project cost:	\$3,193,171.00
Fund loan at 0% interest:	\$1,264,622.00
Trust loan at half of market:	\$1,264,622.00
Principal forgiveness:	\$632,311.00
NJDEP Fee:	\$31,616.00

At present, the NJDEP – Spillfund Program is contributing approximately \$537,000.00. This value can possibly increase after the re-testing effort and if those wells testing exceed safe drinking water standards.

A bond ordinance to cover this project was adopted on December 19, 2011 in the amount of \$4,600,000.00 of which an 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

Extensions were solicited and granted from the three contractors to allow the Town additional time to award these contracts. Since an adopted funding ordinance is in place all three contracts can be awarded at this meeting. The following are the bid values associated with this project:

RESOLUTION # 040H- 2012  
RESOLUTION AWARDDING BIDS ON CONTRACTS #1, #2 AND #3 FOR THE NORTHWEST HAMMONTON WATER MAIN EXTENSION PROJECT

WHEREAS, the Town of Hammonton received bids the Northwest Hammonton Water Main Extension Project; and

WHEREAS, said bids were received originally received on December 29, 2011 and consisted of three distinct contracts; and

WHEREAS, only the bid on Contract 1 was acceptable at that time and since there were only one bidder each on Contracts #2 and #3, bids were rejected on these two contracts on January 1, 2012 and were rebid; and

WHEREAS, bids on Contracts #2 and #3 were received on January 18, 2012; and

WHEREAS, four (4) bids were received on Contract #2 and six (6) bids were received on Contract #3; and

WHEREAS, after review from the Town Engineer and consideration of the funding made available from the New Jersey Environmental Infrastructure Trust Program (NJEIT) along with the New Jersey Department of Environmental Protection – Wellfield Remediation Program, the Town Engineer has recommended to the Mayor and Town Council to accept and award the bids on Contracts #1, #2 and #3; and

WHEREAS, the lowest responsible bidders on the projects were as follows:

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>

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton award Contracts #1, #2 and #3 bids for the Northwest Hammonton Water Main Extension Project as received on December 29, 2011 and January 18, 2012 to the contractors in the amounts stated above in accordance with the Town Engineer's recommendation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council award these contracts with the following conditions

1. Subject to the availability of funds from the New Jersey Environmental Infrastructure Trust and NJDEP – Wellfield Remediation Programs and in accordance with the requirements of said programs.
2. Subject to certification as to the availability of funds from the Town's Chief Financial Officer.
3. The Town reserves the right to reduce the scope of the project to the funds available and those portions which are deemed eligible by the NJEIT and/or NJDEP Well Field Remediation Program.

4. The Mayor of this body be and is hereby directed to sign for and on its behalf the contract in prescribed form for said construction.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, the resolution awarding contracts 1-3 is adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Recused

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

**2. Atlanticare Site Plan Phase I Performance Bond Reduction (11-10018.03)**

The Applicant sent a letter dated 3/8/12 to the Town Clerk requesting consideration for a reduction in their project Performance Bond. They presently have a project Performance Bond #B-1086881, dated 7/23/10 in the amount of \$2,575,207.00 with Selective Insurance Company of America. The majority of the site improvements and punchlist items for the Phase I portion of the project have been completed.

On Saturday March 17, 2012, we completed an onsite inspection with the Quality of Life Committee. In attendance was a representative from Atlanticare and the Design Consultant for the project. After review of the site improvements and the few remaining punchlist items, it was agreed that a reduction in the project Performance Bond would be appropriate. The maximum amount of reduction permitted by the Municipal Land Use Law would leave 30% of the original Bond in place or an amount equal to \$772,562.10.

Motion by Councilperson Esposito, seconded by Councilperson Carpo, approve reduction in the project Performance Bond #B-1086881 provided by Selective Insurance Company of America from \$2,575,207 to \$772,562.10 and the Town Clerk be authorized to direct a letter to the Applicant and bonding company related to Council's action.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**3. Stockton College Parcel Property Remedial Investigation/ Action – Front Street (ARH #11-40042):**

A Site Remedial Investigation Action Report (dated February, 2012) was completed. Within that report there are two areas of the site that will require further testing in order to comply with applicable site

remediation standards. We have prepared a proposal dated 2/1/12 for Council's consideration and action which will be discussed with the PWTC. We have also received and are reviewing a copy of items that the NJDEP has listed as Areas of Concern associated with this site in order to determine what actions if any need to be completed. We will keep the Mayor and Council informed once we have completed a review of these items. In conjunction with the State's present policy, a Licensed Site Remediation Professional (LSRP) must be designated for this site by May of 2012. In order to keep the process moving, we are requesting Council's approval to appoint Henry Weigel from ARH as the LSRP. It is our understanding that the Mayor is discussing both of these items noted above with representatives from Stockton. If acceptable, we are seeking Council's approval for each of the items noted below.

No action taken this evening.

**SEWER & WATER INFORMATIONAL ITEMS:**

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

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.

As reported last month, 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. Within the last progress report written to NJDEP, we requested a revised construction schedule since the ability to meet the construction start requirement by April 1, 2012 would not be met due to the permit release issue. We were assuming that the BSDW would issue the permit by the end of February, whereby we anticipated the month of March to initiate the bidding process. Apparently, this time frame is also in jeopardy and we have notified Southern Enforcement accordingly that a further postponement of the construction schedule may be warranted. At this writing, we have not proposed an alternative schedule pending the outcome of permit release. The monthly progress report was filed on March 15, 2012 and we are awaiting feedback from the agency.

Design Contract:

Introduction of the applicable funding ordinance occurred on March 12, 2012 with second reading scheduled for March 26, 2012. The ordinance will allow for full payment on the design plans and specifications as well as other associated front end project costs.

On behalf of the Town of Hammonton, ARH filed for NJEIT funding (second chance opportunity) for the FY 2013 cycle. This application was due on March 5, 2012 and we have been advised that the application is ranked #1 among the others submitted. Therefore, the Town will be eligible for a 75% - 0% interest and half the market rate for the 25% balance of the project. Since the project will most likely be bid and construction started prior to the actual funding being released, this program offers interim financing at 0% interest which the Town will take advantage for construction financing.

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

The report remains unchanged from last month:

*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.*

**6. Route 54/Bellevue Avenue Utilities (ARH #11-50120): - No Status Change**

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.

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

We have reviewed the Ordinance modifications as prepared by the Town Solicitor and they appear satisfactory. There might be some minor revisions that will be further discussed with the PWTC. Once approved, the Ordinance should be introduced for one of the upcoming meetings. 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.

**8. Boyer Avenue Land Application and Surface Water Permit Appeal (ARH #11-50058):**

The report remains unchanged from last month:

*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):**

*As previously reported; 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.

*Currently;* it is our understanding the Town will be receiving funds from Atlantic County to cover the cost of this project. We are working with the Town to provide the required documentation needed to secure the funding. Supporting documentation is due by the end of this month. While funding is currently being worked out, we have asked the low bidder to hold their price for an additional 45 days, which takes us to May 30, 2012. We have not heard any objection to date.

**10. Community Development Block Grant (CDBG) Funding (ARH #11-40044):**

We had a preconstruction meeting with the Contractor, Town Officials and representatives from the ACIA. The Contractor has started the work and should be completed by the April Council meeting for final payment consideration \$22,500.00 contingent upon the ordinance estoppel period.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize a purchase order in the amount of \$22,500.00 contingent upon the ordinance estoppel period.

**ROLL CALL**

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**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 have met and discussed the Tax Map revision process with members of Council and the Solicitor on a number of occasions. It is our understanding that the Mayor and CFO have been discussing the establishment for funding with the Town Auditor. It is our understanding that an Authorization to Proceed cannot occur until the 2012 municipal budget is adopted.

It is our understanding that the revaluation schedule has been discussed with the courts and a timeframe for completion established. 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 and rough cost estimate for each of the areas. We have discussed same with the PWTC and with representatives from Atlantic County. Although the County would not commit to any approval or whether any financial assistance would be available for the projects that affect County roadways, it seemed they were generally in favor of the improvements. We have also contacted a representative from the Drainage Division of the NJDOT related to the White Horse Pike/Lakeview Drive intersection flooding. We have forwarded him a copy of the conceptual design and cost estimate and requested that an onsite meeting be held. We are waiting for the NJDOT to provide our office with a few dates and times when it may be appropriate for them to meet.

**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. As requested, we have prepared the proposals to group various roadways together in order to realize a cost savings from both a design and construction standpoint. The following groups of roadways were requested for consideration within the Roadway Reconstruction Program which will include various drainage and utility line replacement tasks where required.

**Group A**

- 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
- Grape Street – Valley Avenue to Liberty Street

**Group B**

- Pratt Street – Egg Harbor Road to Tilton Street
- Pratt Street – Tilton Street to Packard Street
- Pratt Street – Packard Street to Fourth Street

It is our understanding that the Mayor and Council will be establishing the funds to allow this work to be started. The goal would be to complete the fieldwork for both roadway groups this year and concentrating on finalizing the design and permitting process for the Group “A” roadways in hopes that work could begin late summer or early fall. The Town has submitted an application to secure Municipal Aid funds for a portion of the Pratt Street project. This group of roadways will most likely proceed to construction in 2013.

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

The Town passed the Resolution last meeting to request that the County to reallocate the Recreation and Open Space funds from land acquisition projects to development projects. Frank Zuber is completing the application forwarded to him from the County to finalize this request. We are lending assistance where applicable.

**SOLICITOR REPORT**

1. COAH: Committee meeting and coordination with Planning Board required to update plans; meeting with COAH Consultant 3/27/12.
2. Airport Hangar Project
3. Pinelands Clustering Ordinance: Need Committee meeting
4. Traditions at Blueberry Ridge/Pulte  
OPRA  
Trees/Drainage/PULTE Bond Release Litigation  
Lane Lines  
Speed Limit Establishment & Ordinance
5. Airport Restaurant

- 6. Kramer Beverage Bond Release (Quality of life inspection)
- 7. Royce Run
- 8. Stockton Project: Replace General Contractor
- 9. Condominium Snow Removal Bills
- 10. Comcast.com/DigitalNow Notification (877-634-4434)
- 11. Clean Flow Project

MAYOR REPORT

Change April 23 Meeting to April 16

Change May 21 Meeting to May 14

TOWN CLERK REPORT

- 1. Authorize new members of Fire Company #1 as follows (Fire Chief and Police have approved):  
Jason Healey  
Michael Morton  
Cody Ryan
- 2. Authorize Kiwanis Fire Hydrant Project contingent upon signing of hold harmless agreements
- 3. Accept resignation Shanna Abbott, p.t. dispatcher, effective 1/26/12
- 4. Hire Sabrina Gilbert p.t. dispatcher \$10.00 hr.training not to exceed 20 hrs week, no benefits, effective 3/19/12  
(2 pt dispatchers hired cannot exceed 40 hrs per week together, hrs may be divided as necessary)
- 5. Approve payment of time off balances due to Lance Schiernbeck \$23,989.92
- 6. Terminate Helen Bell as part time Crossing Guard eff 3/1/12 (unclassified position) and:  
Hire Helen Bell as f.t. temporary dispatcher \$15.00 hr not to exceed 6 months with no pension or benefits eff 3/1/12

Motion by Councilperson Pullia, seconded by Councilperson Torrissi, town clerk report items 1-6 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.

TOWN CLERK INFORMATIONAL ANNOUNCEMENT

- 7. Informational Announcement for Voters at the April 17, 2012 School Board Election: Due to redistricting some districts and polling places have changed. Please be sure to look at your sample ballots which are mailed to your home. Your district number and polling place will appear on same. Also, for your convenience, districts and polling places will appear on local channel 9 all day on April 17, 2012 School Board Election. They also appear on townofhammonton.org under Depts and Services, Municipal Clerk, Elections. Below is a list of polling places and districts as well:

**Town of Hammonton School Board Election**

**Polls open 2:30 p.m. to 9:00 p.m.**

District 4, 7,	Fire Co. #1	100 Passmore Ave.
District 1, 2, 3, 6	Fire Co. #2	51 N. White Horse Pike
District 5	Hammonton Canoe Club	100 Sports Drive

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Furgione, seconded by Councilperson Esposito, approve the bill list and purchase orders for March 2012.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #005-2012 Amend Chapter 51-1 C and D Composition of Police Department

Ordinance #005-2012  
 AN ORDINANCE AMENDING Chapter 51-1 C and D  
 Composition of Police Department

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 51-1 C is amended as follows:

Three Lieutenants, who shall have the duties as prescribed by the Chief of Police, the ordinances of the Town of Hammonton and by the statutes of the State of New Jersey.

BE IT FURTHER ORDAINED that Chapter 51-1 D is amended as follows:

Four Sergeants, who shall have the duties as prescribed by the Chief of Police, the ordinances of the Town of Hammonton and by the statutes of the State of New Jersey.

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

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, 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 #006-2012 Amend Chapter 48 Personnel Policies

Ordinance #006-2012  
AN ORDINANCE AMENDING Chapter 48 Personnel Policies  
To Establish Policy for Processing Employee Resignation/Retirement Paperwork

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 48-11 be added as follows:

Any employee wishing to resign/retire/terminate their employment with the Town of Hammonton must first submit their intention to the Municipal Clerk with a signed letter that includes their intended date of termination of their employment. The Municipal Clerk shall bring the letter to the governing body at their next scheduled meeting. The Municipal Clerk shall complete all necessary paperwork including but not limited to the certification of service and final salary after the Clerk has received the signed letter and the governing body has accepted same. Any unused time off balances to which the employee is due shall be paid with their final paycheck. Time off balances to which the employee is due shall be determined by town code, employee handbook and individual/bargaining unit or union employment contracts.

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

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

BE IT FURTHER ORDAINED that the Municipal Clerk is authorized to update the employee handbook to include this policy.

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

ROLL CALL

Councilpersons:

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried

Ordinance #007-2012 Amend Chapter 271 Vehicles and Traffic Section 28 Speed Zones Along Roadways

Ordinance #007-2012  
AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic  
Section 28 Speed Zones Along Town Roadways

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-28 be added as follows:

Name of Road	Zone Description	Maximum Speed Limit (mph)
Lahn Lane	Entire Length	25
Jerry Lane	Entire Length	25

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

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, 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 #008-2012 Amend Sewer Rates

ORDINANCE # 008 - 2012

AN ORDINANCE AMENDING CHAPTER 226-9 ENTITLED DOMESTIC SEWAGE; RENTS and CHAPTER 226-10 ENTITLED COMMERCIAL AND INDUSTRIAL SEWAGE; RENTS

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, AS FOLLOWS:

The purpose of this Amendment is to modify the annual sewer rate charged to domestic and commercial/industrial sewer users.

**Section 226-9** is hereby amended and shall read as follows:

A. Annual Sewer Rates.

1. Beginning January 1, 2013, the sewer rents for collection and treatment of all domestic sewage discharge into the Hammonton Wastewater Treatment Facility (*Editor's Note: The Water Department was inactivated 1-24-2011 by Ord. No. 3-2011. See now [Ch. 53](#), Department of Public Utilities; Superintendent of Public Works.*) by all dwellings receiving water from the Hammonton Water Department shall be an annual charge based on the water consumption of the six month period immediately preceding the date of said water meter reading, which reading shall be made during the month of

May of each given year, and shall be computed in accordance with the following rate schedule:

**ANNUAL RESIDENTAL SEWER RATE**

<u>Water Consumption</u> (cubic feet)	<u>Fee</u>
First 2,000 cu. ft. or less	\$450.00 Annually
From 2,001 to 4,000 cu. ft.	\$72.50 per 1,000 cu. ft.
All usage in excess of 4,001 cu. ft.	\$37.50 per 1,000 cu. ft.

2. Should any sewer user having domestic sewage collected or treated by the Sewer Department of the Town of Hammonton having sources of water supply not provided by the Hammonton Water Department or not having a meter that is acceptable to the Town and in good working order at the time said meter is read or is to be read, that sewer user shall be charged a flat rate of \$500 for the collection of his or her domestic sewer for that particular year. This rate shall become effective January 1, 2006.
  
3. In case of a combination of two or more dwelling units, households, flats, apartments, or two or more families using separate cooking and bathroom facilities in one dwelling having the use of the sewer system through one sewer lateral, each and every such dwelling occupied unit, household, flat, apartment of such family or shall be charged the foregoing minimum annual sewer rents or charges the same as if each such unit or family had a direct and separate connection to the sewer system. Sewer rents and charges in excess of such minimum shall be determined by dividing the total water consumed, as shown by the water readings, by the number of occupied units or families using such single sewer connection, and applying the above rate schedule to the quantity as determined.
  
4. Beginning January 1, 1996, all persons legally and medically declared totally disabled pursuant to the laws of the State of New Jersey, and all persons who now qualify and who may hereafter qualify for the real estate annual senior citizens' tax deductions of \$250 pursuant to the Laws of the State of New Jersey and who qualify and receive said tax deduction will be entitled, upon application therefore, to an annual credit of \$50 on their annual domestic sewer rental. This credit shall only extend to one property owned by any such citizen in the Town of Hammonton. Where premises are owned by more than one such citizen, only one annual credit shall be allowed by the provision of this article.

**Section 226-10** is hereby amended and shall read as follows:

1. Beginning January 1, 2013, the sewer rents for collection and treatment of sanitary sewage discharged into the Hammonton Wastewater Treatment Facility by all business buildings, institutions and commercial establishments receiving water from the Hammonton Water Department (*Editor's Note: The Water Department was inactivated 1-24-2011 by Ord. No. 3-2011. See now Ch. 53, Department of Public Utilities; Superintendent of Public Works.*) shall be a semiannual charge based on the water consumption of each six-month period and computed in accordance with the following rate schedule:

**ANNUAL COMMERCIAL SEWER RATE**

<b>Water Consumption</b> (cubic feet)	<b>Fee</b>
--	------------

First 2,000 cu. ft. or less	\$600.00
From 2,001 to 4,000 cu. ft.	\$95.00 per 1,000 cu. ft.
All usage in excess of 4,001 cu. ft.	\$75.00 per 1,000 cu. ft.

2. In cases where a combination of one or more dwelling units, households, flats, apartments with stores, shops, offices or businesses or industrial units has the use of the sewer system through one sewer lateral, each and every occupied dwelling unit, household, flat, apartment, store, shop, office or business or industrial unit shall be charged the foregoing minimum semiannual sewer rents or charges, the same as if each such unit had a direct and separate connection to the sewer system. However, any provision of this article notwithstanding, no person shall be charged for a business or office unit which is a part of his/her residence and which does not have separate sewerage facilities within said unit unless the sewerage facilities of the residence would reasonably be considered to be available to customers of the business or office unit in light of the type of business activity conducted therein or unless the business or office unit is operated by someone other than a permanent resident of the residence attached thereto. Sewer rents or charges in excess of such minimum shall be determined by dividing the total water consumed, as shown by the meter readings, by the number of occupied units.

3. All hospitals open to the general public of the Town of Hammonton which has a maximum of 82 beds shall pay a sewer rent of \$875 per year.

C. REPEALER. Any other ordinance or parts of ordinances inconsistent with this ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance, shall remain in full force and effect as though expressly and fully set herein.

D. EFFECTIVE DATE: This ordinance shall take effect upon publication and passage according to law; however, not prior to the above effective date.

E. SEVERABILITY. If any part of this ordinance shall, for any reason adjudged by a Court of competent jurisdiction be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance which will be declared severable.

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

Councilperson Pullia advised the rates on this ordinance have been revised since the agenda went out.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - No

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #009-2012 Bond Ordinance Park Improvements

Ordinance #009-2012

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBERED 14-2011 OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED JUNE 27, 2011, TO INCLUDE THE CONTINUED DEVELOPMENT OF THE HAMMONTON SPORTS COMPLEX AND VARIOUS IMPROVEMENTS TO LAKE PARK AND PROVIDING AN ADDITIONAL APPROPRIATION OF \$915,750, INCLUDING \$915,750 GRANT FROM THE COUNTY MUNICIPAL OPEN SPACE FINANCIAL ASSISTANCE PROGRAM, AND AUTHORIZING THE ADDITIONAL ISSUANCE OF \$915,750 OF BONDS OR NOTES TO FINANCE 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:

**Section 1.** Section 3(a) of Bond Ordinance numbered 14-2011 of the Town of Hammonton, finally adopted June 27, 2011 (the "2011 Bond Ordinance"), for the continued development at the Hammonton Sports Complex, located between Boyer Avenue, Sewell Avenue, Seventh Street and Moss Mill Road, consisting of various recreation facilities, including all work, materials and all costs necessary or incidental thereto is hereby amended to include, in addition to the improvements listed herein, various improvements to Lake Park as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto.

**Section 2.** This project was authorized to be undertaken by the Town as a capital improvement, pursuant to the *2011 Bond Ordinance*. This amending ordinance hereby appropriates an additional amount of \$915,750, including a \$915,750 grant to be received from the County Municipal Open Space Financial Assistance Program, such sum being in addition to the \$1,050,000 Green Acres Loan from the New Jersey Department of Environmental Protection and the New Jersey State Preservation Trust authorized and appropriated by the *2011 Bond Ordinance*.

**Section 3.** (a) In order to finance cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the additional principal amount of \$915,750 pursuant to the *Local Bond Law*. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the *Local Bond Law*.

(b) The estimated maximum amount of bonds or notes to be issued for the projects described herein is amended to be \$1,965,750, including the \$1,050,000 bonds or notes authorized by the *2011 Bond Ordinance* and the \$915,750 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is amended to be \$1,965,750, including the \$1,050,000 appropriated by the *2011 Bond Ordinance* and the \$915,750 appropriated herein.

**Section 4.** The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 5.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) 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 authorization of the bonds and notes provided in this bond ordinance by \$915,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$395,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$210,000 was estimated for these items of expense in the *2011 Bond Ordinance*, and an additional \$185,000 is estimated herein.

**Section 6.** The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**Section 7.** The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 8.** Any grant moneys or loan proceeds received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** All other terms and conditions set forth in the *2011 Bond Ordinance* not amended herein remain as set forth in such Ordinance. Any inconsistencies or omissions between the *2011 Bond Ordinance* or this ordinance shall be read in favor of this amending ordinance.

**Section 10.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the *Local Bond Law*.

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

A discussion was held concerning approval of Board of Freeholders.

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 #010-2012 Amend Water Rates

ORDINANCE # 010 -2012  
 AN ORDINANCE AMENDING CHAPTERS 275-4 ENTITLED SERVICE AND MAINTANCE CHARGES FOR METERS AND 275-7 ENTITLED WATER RATES  
 BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, AS FOLLOWS:

1. PURPOSE. The purpose of this Ordinance is to amend the Service, Maintenance and Water Rates for the Town of Hammonton.
2. SERVICE AND MAINTANCE CHARGES. For the service and maintenance, there shall be charged the following rates beginning August 1, 2012.

ANNUAL SERVICE & MAINTENANCE CHARGES	
<u>Meter Size</u>	<u>Fee</u>
5/8 Inch Meter	\$16.00
1 Inch Meter	\$20.00
2 Inch Meter	\$24.00

3. WATER RATES. For the use of water, there shall be charged the following rates beginning August 1, 2012.

<u>Water Consumption (cubic feet)</u>	<u>ANNUAL WATER RATES Fee</u>
First 3,000 or less	\$170.00
From 3,001 to 5,000	\$64.00 per 1,000 cubic feet
From 5,001 to 10,000	\$70.00 per 1,000 cubic feet
All usage in excess of 10,000	\$80.00 per 1,000 cubic feet

4. PAYMENT OF WATER BILLS, LATE PAYMMENT PENALTIES

Assessed and minimum meter rates are payable quarterly, in advance. All water rates are to be charged from the date the water is turned on. For water consumption in excess of the minimum quantity, the charge as per meter statement will be made at the close of each six (6) months. The bill shall be due when rendered. If any bill is not paid when due, interest at the rate of 1.5% per month will be charged. If a bill is more then forty-five days past due, water service may be terminated.

5. REPEALER. Any other ordinance or parts of ordinances inconsistent with this ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance, shall remain in full force and effect as though expressly and fully set herein.
6. EFFECTIVE DATE: This ordinance shall take effect upon publication and passage according to law; however, not prior to the above effective date.
7. SEVERABILITY. If any part of this ordinance shall, for any reason adjudged by a Court of competent jurisdiction be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance which will be declared severable.

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

Councilman Torrissi stated though he was against the NJ DEP harsh water restrictions he understands this ordinance is a necessity.

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

#R040G-2012 Tax Amendment Resolution

#R 040G-2012

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved the following cancellations and refunds to the accounts listed below:

<b>B&amp;L</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>AMOUNT</b>	<b>ACCT.</b>	<b>REASON</b>	<b>PER</b>
4203-1	Vision Prop.	1171 S WHP	1,843.67	Tax	Refund Cty Bd Judgement	Rosie
2810-6	Vision Prop.	216 Bellevue	6,732.95	Tax	Refund Cty Bd Judgement	Rosie
4111-20	Hitchens	109 Lakeshore	1,806.31	Tax	Refund GMAC overpayment	Rosie
1201-35	Dahodwala	68 S Chew Rd	803.00	Tax	Refund Landis Title	Rosie
2412-22	Grasso	222 Messina Ave	269.41	W/S	Refund overpayment	Rosie
1803-26	DeSordi	383 Walnut St.	371.36	Tax	Refund Landis Title	Rosie
2711-7	Guzman	330 French St.	569.19	Tax	Refund Saxon Mortgage	Rosie
2201-21	Oliveira	511 N 3rd St.	1,054.19	Tax	Refund Saxon Mortgage	Rosie
2412-10	Ransom	278 Messina Ave.	819.87	Tax	Refund Saxon Mortgage	Rosie
2420-5	Santiago	226 Railroad Ave.	696.07	Tax	Refund Saxon Mortgage	Rosie
2408-12	Shone	529 W. Orchard	503.11	Tax	Refund Saxon Mortgage	Rosie

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

WHEREAS, if any of above referenced are not approved by Mayor and Council a retraction of same will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton authorize and direct the tax collector to take the above said action.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, resolution 40G is adopted.

ROLL CALL

Councilpersons:

- Carpo - Yes
- Esposito - Yes
- Furgione - Yes
- Pullia - Yes
- Deputy Mayor Rodio - Yes
- Torrissi - Yes
- Mayor DiDonato – Recused

Deputy Mayor Rodio declared the motion carried.

#R041-2012 Approve St. Mary of Mt. Carmel Good Friday Procession and Road Closure

RESOLUTION # 41-2012

RESOLUTION AUTHORIZING AND ENDORSING  
THE ANNUAL “SPANISH COMMUNITY GOOD FRIDAY PROCESSION”

WHEREAS, St. Mary of Mt. Carmel Church continues to promote the Town of Hammonton with their annual “Spanish Community Good Friday Procession” procession; and

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

WHEREAS, **April 6, 2012, at 3:00 p.m.** is the scheduled date for the Spanish Community Good Friday Procession; and

WHEREAS, St. Mary of Mt. Carmel Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for stations of the cross and procession:

- From St. Mary of Mt. Carmel Church (N. Third St.) to French Street
- Right onto Packard Street
- Right onto Pleasant Street
- Right onto N. Third Street
- Return to Church (N. Third Street)

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 Spanish Community Good Friday Procession is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. Mary of Mt. Carmel Church as required by the Town of Hammonton.
2. Filing of required State and County written approvals for street closures with the Town Clerk’s office and the Chief of Police at least two weeks prior to event.

#R042-2012 Authorize Feast of Our Lady of Mt. Carmel Procession, Carnival & Fireworks

RESOLUTION # 42 -2012

AUTHORIZE THE “FEAST OF OUR LADY OF MT. CARMEL” PROCESSION, CARNIVAL & FIREWORKS

WHEREAS, July 11<sup>th</sup> through July 16<sup>th</sup> is the scheduled date for the Lady of Mt. Carmel carnival and events in the Town of Hammonton; and

WHEREAS, the Mt. Carmel Society has requested assistance of the Town of Hammonton Police Department and the closing of Mt. Carmel Lane (from French to Pratt); and Tilton Street (from French St. to Pratt St.); and Third Street (from Pratt to Pleasant) during the week of the carnival; and

WHEREAS, July 16<sup>th</sup> is the scheduled date for processions, one at 9:00 A.M. and one at 4:00 P.M., (times may vary at discretion of Hammonton Police Chief) and the Mt. Carmel Society requests police patrol and road closures of the following streets in the Town of Hammonton for said procession:

9:00 a.m. procession

From Mt. Carmel Hall (Tilton St. to Bellevue Ave.)  
Right on Bellevue proceed to Washington St.  
Left onto Bellevue and proceed to Central Ave.  
Left onto Third St. and proceed to Pratt St.  
Right onto Pratt St. and back to Tilton St.

4:00 p.m. procession

From St. Mary of Mt. Carmel Church west (S 3<sup>rd</sup> Street to intersection of 3<sup>rd</sup> & Fairview)  
Continue south to the (intersection of Fairview & Egg Harbor Road)  
Continue east to the (intersection Egg Harbor Rd./Railroad Ave & Bellevue)  
Continue north on Bellevue to (intersection of Bellevue & 3<sup>rd</sup> St.)  
Conclude parade at place of origin traveling west to (St. Joseph Church)

WHEREAS, July 16<sup>th</sup> is the scheduled date for fireworks event (rain date to be determined) to be held at sundown.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, that the July 16<sup>th</sup> carnival, procession and fireworks are approved contingent upon the following:

Filing of necessary insurance certificate by Mt. Carmel Society.  
Filing of required State and County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R043-2012 Authorize Refund Unused Plumbing & Electric Permit

#R 043-2012

WHEREAS, Hutchinson Plumbing Heating Cooling obtained a plumbing and electrical permit from the Town of Hammonton for services at 737 Woodlawn Avenue in the amount of \$147.00; and

WHEREAS, the service was not completed; and

WHEREAS, Frank Domenico, Construction Official, has approved the refund of the town permit fee in the amount of \$122.00; and

WHEREAS, the NJ State Surcharge is non-refundable;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY authorize a refund of \$122.00 to Hutchinson Plumbing Heating Cooling for plumbing/electric permit.

#R044-2012 Authorize Transfer of Funds

#R 044-2012

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	
Street Lighting OE (1-01-31-138-200)	\$2,500.00
TO: In CAP	
Legal OE (1-01-20-106-200)	\$2,500.00

#R045-2012 Authorize Temporary Emergency Appropriations

RESOLUTION # 045-2012  
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, and 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>Computer</b>	
Computer OE (2-01-20-133-200)	\$8,000.00
<b>Group Ins.</b>	
Group OE (2-01-23-114-200)	\$100,000.00
<b>Fire OE</b>	
Fire OE (2-01-25-117-200)	\$8,000.00
<b>Environmental Comm.</b>	
Environmental OE (2-01-27-113-200)	\$500.00
<b>Airport</b>	
Airport OE (2-01-30-137-200)	\$2,000.00
<b>Utilities</b>	
Operating Expenses (2-05-55-601-200)	\$100,000.00

#R046-2012 Designate Minimum Hours for Benefits with NJSHBP

#R046-2012

A RESOLUTION to authorize a change in the average number of hours of employment per week required for "full-time" status for participation in the State Health Benefits Program in accordance with N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2.

BE IT RESOLVED:

1. The Town of Hammonton, County of Atlantic, Location #0045-00, a participating employer in the State Health Benefits Program, hereby designates 32.5 hours per week (average) as the minimum requirements for full-time status in accordance with N.J.S.A. 52:14-17.26 and N.J.S.A. 52:14-17.46.2.
2. This change in the number of hours of employment required for State Health Benefits Program eligibility applies to all current and future employees of the Town of Hammonton.
3. This change does not affect current or future employee's benefits as current Town of Hammonton employment contracts already require 32.5 hours for coverage in NJSHBP. This resolution is designating the hours with the NJSHBP.
4. This resolution shall take effect June 1, 2012.
5. The Clerk is authorized to amend employee handbook.

#R047-2012 Determine Form and Details of Refunding Bond \$3,800,000

#R047-2012

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$3,800,000 PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS

BE IT RESOLVED 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. The Town of Hammonton, in the County of Atlantic, New Jersey (referred herein as the "Town") hereby authorizes the sale, in one or more series, of an amount not to exceed \$3,800,000 Refunding Bonds (the "Bonds") by virtue of its final adoption by a two-thirds majority of its full membership on March 26, 2012 of a bond ordinance entitled, "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."

Section 2. The Bonds are hereby authorized to be sold to RBC Capital Markets (referred to herein as the "Underwriter") in accordance with the purchase contract to be entered into by and between the Underwriter and the Town (the "Purchase Contract") pursuant to this resolution. The purchase price for the Bonds shall be as set forth in the Purchase Contract, plus unpaid accrued interest, if any, from the dated date of the Bonds to, but not including, the delivery date of the Bonds. The Mayor and/or Chief Financial Officer is hereby authorized to enter into the Purchase Contract on behalf of the Town with the Underwriter in a form satisfactory to McManimon & Scotland, L.L.C., Bond Counsel for the Town ("Bond Counsel") for the sale of the Bonds to the Underwriter in accordance with the provisions of this resolution and otherwise in accordance with and subject to approval of the refunding bond ordinance by the Local Finance Board. The signature of the Mayor or Chief Financial Officer on the Purchase Contract shall be conclusively presumed to evidence any necessary approvals.

Section 3. The Bonds are being issued to incur interest cost savings by redeeming all or a portion of the callable outstanding general obligation refunding bonds of the Town originally issued in the principal amount of \$5,260,000, dated April 1, 2004, which bonds maturing on or after March 1, 2015 (the "Refunded Bonds") are redeemable at the option of the Town in whole or in part on any date on or after March 1, 2014 at par (the "Redemption Price"), plus in each case accrued interest, if any, to the date fixed for redemption.

Section 4. The Bonds shall be issued in accordance with the terms and the conditions set forth in the Purchase Contract within the parameters set forth herein:

(A) The Bonds shall be issued in a par amount determined to be necessary to pay costs of issuance and to provide for payment of the Redemption Price of the Refunded Bonds on the Redemption Date, and the interest due on the Refunded Bonds through the Redemption Date, all in accordance with the Local Finance Board approval;

(B) The Bonds shall be dated such date as established in the Purchase Contract;

(C) The Bonds shall mature in the principal amounts on or about March 1 of each year, commencing on or about March 1, 2013 and thereafter or as otherwise set forth in the Purchase Contract and shall bear interest at interest rates per annum on the unpaid principal balance on each March 1 and September 1 until maturity or earlier redemption, commencing on or about September 1, 2012 or as otherwise set forth in the Purchase Contract;

(D) The Bonds shall be issued in the form of one bond for each maturity except if all or any portion of the Bonds are issued as term bonds;

(E) The Bonds shall be numbered consecutively from R-1 upward and shall mature in such principal amounts with such mandatory call features and with such mandatory sinking fund payments as set forth below and as determined in the Purchase Contract;

(F) The Bonds may be subject to optional redemption or not as set forth in the Purchase Contract;

(G) Depending on market conditions at the time of the sale, the Bonds may be issued in one or more series as determined by the Chief Financial Officer, in consultation with Bond Counsel and Phoenix Advisors, LLC (the "Financial Advisor").

Section 5. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to conform the Bonds to the requirements of the Purchase Contract.

**#R048-2012 Temporary Capital Budget Lake Park Improvements**

#R048-2012

TOWN OF HAMMONTON

TEMPORARY CAPITAL BUDGET

**WHEREAS**, the need has arisen to introduce a bond ordinance to provide funds for the Continued Development of the Hammonton Sports Complex and Various Improvements to Lake Park from the General Capital Fund, including all appurtenances necessary and related thereto, and;

**WHEREAS**, the regulations of the Local Finance board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Services requires that the municipality adopt a temporary capital budget if a bond ordinance is to be passed prior to the adoption of the Annual Capital Budget, and;

**WHEREAS**, the ordinance provides a total appropriation as follows:

<u>Purpose</u>	<u>Total Grant Amount</u>
<b><u>General Capital Fund</u></b>	
Continued Development of the Hammonton Sports Complex and Various Improvements To Lake Park	<u>\$ 915,750.00</u>

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Town of Hammonton, County of Atlantic that:

(1) a Temporary Capital Budget is hereby created for the following:

**General Capital Fund**

Continued Development of the Hammonton Sports Complex and Various Improvements to Lake Park \$ 915,750.00

the project will be included in the Annual Capital Budget, and

(2) one certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

Motion by Councilperson Carpo, seconded by Councilperson Furgione, resolutions 41 through 48 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

Mark Santora and Josephine Santora

Mr. Santora posed questions that derived from a copy of a letter he received from Remington and Vernick concerning the Pulte/Blueberry Ridge Drainage Basin.

The Solicitor advised that this will be discussed at the meeting he is scheduling for everyone to attend.

Richard Byrne

Mr. Bryne noticed at the pump station at the Hammonton Lake Park the door is missing.

Mayor DiDonato stated he is aware of same and it is being repaired.

Joseph Ingemi

Mr. Ingemi posed questions concerning certain items on Engineer Report this evening.

Solicitor stated if Mr. Ingemi has something concrete to please bring it to his attention in private and he will investigate same

Joe Limmen

Mr. Limmen questioned litigation on Royce Run?

The Solicitor advised him as to the status.

Yuli Chew

Mr. Chew stated he felt the Town of Hammonton sewer rates were very reasonable.

15 MINUTE RECESS

RESUME OPEN PORTION OF MEETING

Hire Public Works Manager/Business Administrator

Motion by Councilperson Esposito, seconded by Councilperson Pullia, hire Jerome Barberio effective on or before April 16, 2012, salary for 2012 \$90,000.00, one month of cobra paid by the Town of Hammonton, plus one vacation day per month accrual (8 for year 2012), 5 sick days, 2 personal days, enrollment in PERS, to work 12 hrs day 5-6 days per week. Only in a declared "state of emergency" will he be able to earn compensatory time for his additional hours.

Councilman Furgione advised he had the opportunity to meet with Mr. Barberio twice and believes he has the necessary public works experience and he will be an asset to the town. However, he is still concerned with his hiring being so close to his expiration of his term on council.

Councilman Pullia stated he also struggled with the fact that Mr. Barberio recently left council. However, he believes Mr. Barberio is the right person for the position.

Councilman Torrissi added he feels Mr. Barberio is the most qualified for this position.

ROLL CALL

Councilpersons:

Carpio - No

Esposito - Yes

Furgione - No

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilman Furgione, seconded by Councilman Esposito, authorize the Solicitor to investigate the legalities of an ordinance implementing a time frame or prohibiting the hiring of an employee who previously served on council.

ROLL CALL

Councilpersons:

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the meeting is adjourned.  
Motion carried.

April Boyer Maimone, Municipal Clerk