

Regular Meeting of Mayor and Council – April 16, 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

Jerry Barberio, PWM/Business Administrator

#R048A-2012 Executive Session

#R048A-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. Route 54
2. Water Meters
3. Universal Litigation
4. Martinez/Grasso
5. Non-renewal of Airport Tenant
6. Water Department Succession

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 Torrissi, 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  
David Cella of ARH, Town Engineer  
Jerry Barberio, PWM/Business Administrator

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

Jim Maclane

Mr. Maclane, referring to the proposed ordinance creating a bank cap on the agenda this evening, questioned Mayor DiDonato's point of view?

Mayor DiDonato responded the ordinance will be taken up for council's consideration.

Yuli Chew

Mr. Chew commented on the Water and Sewer rate ordinances on the agenda this evening.

A discussion of Mayor and Council and Mr. Chew concerning proposed Hammonton water rates versus surrounding municipality's water rates was held.

Dan Bachalis

Mr. Bachalis questioned item 6 on the agenda concerning open space and recreation bond ordinance to which Mayor DiDonato responded.

APPROVAL OF MINUTES

Executive Session – March 26, 2012

Regular Meeting – March 26, 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. Lindsay Giannini presentation “Don’t Text & Drive”

R#055-2012

RESOLUTION APPROVING THE PLACEMENT OF ROADWAY SIGNAGE  
“STAY ALIVE, DON’T TEXT & DRIVE”

**WHEREAS**, studies have demonstrated that distracted driving is a significant cause of motor vehicle accidents; and

**WHEREAS**, texting while driving is one of the most dangerous versions of distracted driving; and

**WHEREAS**, Lindsey Giannini, a senior at Hammonton High School who is competing for the title of Miss New Jersey 2012, has made it her platform to raise awareness of the dangers of distracted driving; and

**WHEREAS**, part of Lindsey Giannini’s plan for raising awareness is to design, construct and obtain approval for placement of roadway signage addressing this important issue; and

**WHEREAS**, Lindsey Giannini has consulted with Robert Jones, Chief of Police of the Hammonton Police Department and obtained his endorsement for the initial placement of approximately two dozen signs at various locations in close proximity to school premises and other strategically selected locations within the Town of Hammonton; and

**WHEREAS**, the Town’s traffic consultants, Horner and Cantor Associates, have provided important guidance for this project; and

**WHEREAS**, Mayor and Council enthusiastically endorse the goals of Lindsey Giannini’s platform and wish to facilitate this project; and

**WHEREAS**, Lindsey Giannini has arranged to have the signs made at no cost to the taxpayers and has arranged for private installation of the signs with assistance from the Town of Hammonton Public Works Department in that effort.

**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:

1. Signage in general conformity with the sample attached hereto containing the language “Stay Alive, Don’t Text & Drive” is authorized to be placed at the locations set forth on the attached schedule and at such other locations as the Chief of Police of the Town of Hammonton determines to be in the best location to advance the health, safety and welfare of the residents of the Town of Hammonton and surrounding communities.
2. All signs shall be required to meet the specifications of the Manual on Uniform Traffic Control Devices (MUTCD).

3. No signage shall be placed on any county roadway until approval has been received from the county engineer.
4. Mayor and Council extends its best wishes to Lindsey Giannini in her efforts at reducing traffic accidents and spreading the message that texting while driving is a dangerous activity.

Motion by Councilperson Carpo, seconded by Councilperson Pullia, 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.

- 1a. COAH Presentation by Shirley Bishop (action to be taken at Regular Meeting of May, 2012)
- 1b. Budget Presentation by Rob Scharle, CFO

Mr. Scharle advised Mayor and Council on budget handouts and clarified to Mr. Maclane that the index rate ordinance proposed on the agenda this evening differs from the tax cap that the school systems utilize.

Councilman Rodio questioned if there would have been a different impact on the budget had council raised taxes 1 cent each year?

Mr. Scharle responded there is no wrong answer. Mayor and Council chose not to raise 1 penny as they wanted to afford the taxpayers relief.

Councilman Torrissi questioned if we raised taxes could we have saved on the surplus being utilized each year?

Mayor DiDonato advised Councilman Torrissi on the impact to surplus in raising taxes.

Mr. Scharle stated surplus is needed from a revenue point of view as well as a cash flow point of view.

Councilman Torrissi clarified he does not want to raise taxes and he does not feel anyone else would want to place that burden on the taxpayer either. He's posing questions as a representative to the public.

Councilwoman Carpo questioned could council raise the taxes 1 cent during one tax year but not raise taxes each and every year to help in maintaining our surplus?

Mayor DiDonato stated once you strike a budget you have to live within it and the excess surplus is not something we can utilize if we cannot make the budget in any given year.

Councilwoman Carpo questioned how is 5.9 cents going to compound out?

Mayor responded it only compounds if you raise it every year.

Councilwoman Carpo stated that is the point she is making that council could have raised taxes a little one year but not every single budget year and it would not have compounded as much but would not have been as much of a burden to the taxpayer as raising taxes 5.9 cents in one year.

Mayor DiDonato explained compounding and how raising the taxes 1 cent per year would cost the taxpayers more than raising 5.9 cents this year.

Councilman Furgione questioned going forward what number does Rob Scharle feel we should have in surplus?

Mr. Scharle advised he'd like to see 2.5 million.

Councilman Torrissi applauded past council's for holding the tax rate. However, he is searching for consistency for the taxpayer as well as maintaining ample surplus.

Councilman Furgione questioned Mr. Scharle what his recommendation for budget in 2011 was with regards to raising taxes?

Mr. Scharle advised he does not recommend tax increases but recommends the municipality maintain a surplus.

Councilman Furgione questioned S. J. Gas fund to which Mayor responded 1.5 million was placed in general fund for debt relief.

Councilman Pullia questioned where do we go from here with revenue and state aid dropping?

Mr. Scharle stated there are 2 solutions, raise taxes or cut expenses.

Councilwoman Carpo questioned the increase in appropriation to PERS in water and sewer accounts?

Mayor DiDonato stated the Town's contribution to PERS has gone up significantly.

2. #R048B-2012 Waive Self Examination of Budget

#R048B-2012  
SELF-EXAMINATION OF BUDGET RESOLUTION  
*[as required by DCA]*

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Hammonton has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2012 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Town of Hammonton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes

- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
- a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget has been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, 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.

3. #R048S-2012 School Resource Officer Resolution and Agreement

RESOLUTION #048S-2012

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
WITH HAMMONTON BOARD OF EDUCATION

**WHEREAS**, the Town of Hammonton is statutorily authorized to enter into Interlocal Services Agreements with State, County and Local Governments; and

**WHEREAS**, the Town of Hammonton has agreed to provide School Resource Officer(s) to Hammonton Board of Education for school year 2012-2013 in the amount of \$156,645.60; and

**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 as follows:

- 1. The Agreement which is annexed hereto and made a part hereof with Hammonton Board of Education is approved.
- 2. That the Mayor and Municipal Clerk are hereby authorized to execute said agreement.

Motion by Councilperson Pullia, seconded by Councilperson Furgione, 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.

4. Introduce Ordinance #013-2012 Index Rate

Ordinance #013-2012  
TOWN OF HAMMONTON, COUNTY OF ATLANTIC  
CALENDAR YEAR 2012  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Town Council of the Town of Hammonton in the County of Atlantic finds it advisable to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$95,067.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Town Council of the Town of Hammonton, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Town of Hammonton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$95,067.18, and that the CY 2012 municipal budget for the Town of Hammonton be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Councilperson Carpo questioned is this voted on yearly?

Mayor responded yes.

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. #R048C-2012 Introduce 2012 Budget

#R048C-2012

RESOLUTION TO INTRODUCE THE 2012 MUNICIPAL BUDGET

**BE IT RESOLVED**, that the following statement of revenues and appropriations shall constitute the Local Municipal Budget for the year 2012;

**BE IT FURTHER RESOLVED**, that the said budget be published in the Hammonton Gazette, edition of May 2, 2012 as follows:

A hearing on the budget and tax resolution will be held at the Town Hall on the 14th day of May, 2012 at 7:00 o'clock p.m., at which time and place objections to said budget and tax resolution of the Town of Hammonton for the year 2012 may be presented by taxpayers or other interested persons.

**Summary of General Section of Budget**

**Current Fund**

Municipal Purposes within "CAPS" \$8,952,206.56

Municipal Purposes excluded from "CAPS" 1,779,286.69

915,234.65

Reserve for Uncollected Taxes

Total General Appropriations \$11,646,727.90

Less: Anticipated Revenues 4,438,906.36

Amount to be Raised by Taxation \$7,207,821.54

Motion by Councilperson Rodio, seconded by Councilperson Esposito, the budget is authorized to be read by title only and the budget resolution 048C-2012 for budget introduction is adopted.

Councilperson Torrissi questioned is 5.9 or 5.27 increase better for the taxpayer?

Mr. Scharle stated he recommends replenishing surplus rather than utilize it.

Councilperson Furgione feels raising taxes is not a good thing, however, he feels it's helpful to taxpayer to go with raising taxes to 5.9.

Councilperson Carpo concurred with Councilman Furgione.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

5a. Hearing Ordinance #005-2012 Amend Structure Police Dept

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

No one desired to be heard.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, 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.

5b. Hearing Ordinance #006-2012 Amend Chapter 48

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

No one desired to be heard.

Motion by Councilperson Furgione, 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.

6. Hearing Ordinance #007-2012 Amend Chapter 271 Speed Zones Along Town Roadways

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

No one desired to be heard.

Motion by Councilperson Furgione, seconded by Councilperson Rodio, 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 #008-2012 Increase Sewer Rates

To be taken up under Engineer Report

8. Hearing Ordinance #009-2012 Various Lake Park Improvements

Motion by Councilperson Torrissi, seconded by Councilperson Rodio, the ordinance is 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:

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

9. Hearing Ordinance #010-2012 Increase Water Rates

To be taken up under Engineer Report

COMMITTEE REPORTS

Administration -Councilperson Esposito

PWM/Business Administrator contract update

Business & Industry-Councilperson Esposito

Report on new businesses

Report on various upcoming events

Education-Councilperson Furgione

Report on School Board of Education matters

Public Works & Transportation-Councilperson Rodio

Defer report to Engineer Report

Welcomed Jerry Barberio, PWM/Business Administrator

Law & Order-Mayor DiDonato

Mayor welcomed Jerry Barberio and read a brief description of his resume into the record

Quality of Life – Councilperson Torrissi

Report on tree donation

Report on upcoming tree planting honoring former Councilmen Andrew Berenato Sr. and Andrew Berenato Jr.

Water & Sewer – Councilperson Pullia

Report on grants

Report on radium

Report on projects

Defer remainder to Engineer Report

ENGINEER REPORT

Ordinance #008-2012 Increase Sewer Rates

Per Solicitor recommendation that due to a significant amendment to the ordinance, it was on motion by Councilperson Pullia, seconded by Councilperson Rodio, that the ordinance with amendment be re-introduced and is taken up for first reading, pass first reading and given legal publication.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - No

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Presentation on Water Rate Increase Given by Joseph Pantalone of ARH, Town Engineer

Ordinance #010-2012 Increase Water Rates

Mayor read a statement into the record.

Per Solicitor recommendation that due to a significant amendment to the ordinance, it was on motion by Councilperson Pullia, seconded by Councilperson Rodio, that the ordinance with amendment be re-introduced and is taken up for first reading, pass first reading and given legal publication.

Councilman Torrissi stated we do not want to raise water rates but the number one priority is clean drinking water for the Town.

Councilman Furgione questioned if it would be possible to hold off on this increase until 2013?

Councilman Pullia stated we are upgrading our facility to accommodate radium treatment and this funding is necessary.

Councilman Furgione strongly urged residents to conserve.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**SEWER & WATER INFORMATION ITEMS:**

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

As a reminder, the request for waiver of the well sealing aspect was denied. This led to a re-evaluation of the status of a reduction of eligible participants from 30 down to 21, possibly 22. The outcome was a reduction to the appropriation received by the NJDEP Spillfund Program. Due to the financial reduction, a decision to award the contract was temporarily tabled but the contracts for all three projects was awarded on March 26, 2012.

Also during the last month, approximately 30 residents out of 80 who were invited to retest their wells at the expense of the NJDEP did so. This testing occurred over March 20 and 21, 2012. Test results will be available within three weeks from the date tested.

The following is a recap of the NJEIT 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.

At the last meeting, the bids that were received on December 29, 2011 were awarded as follows:

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

Contracts 1 thru 3 are funded in part by New Jersey Environmental Infrastructure Trust Fund (NJEIT) as well as the NJDEP Wellfield Remediation Program.

We have received contracts back from Lafayette and Helmer but not yet from Steffen Drilling. Currently, the contracts, bonds and insurance are under review by the Town Professionals. Assuming that there are no problems with any of the documents, a pre-construction meeting will be conducted and Notice to Proceed issued within the next two weeks.

**PUBLIC WORKS ACTION ITEMS**

**2. 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 has conducted the second reading and public hearing 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 concentrate on finalizing the design and permitting process for the Group “A” roadways in hopes that work could begin in the 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. The Town was notified by the NJDOT that they were allocated \$156,641.00 for this project. Due to the overall cost for this project, it may be wise for the Town to request additional municipal funds with next year’s application. Another option may be to pursue the State’s Discretionary Funding. Possible funding assistance from the County and NJDOT may also be an option worth investigating. We will discuss these options with the PWTC and Administrator. It is our understanding that the funding for completion of the fieldwork, design and permitting was passed last Council meeting via Ordinance #004-2012. We would therefore request Council’s consideration to approve the proposals that would allow ARH to begin the fieldwork, design and permitting for each group of streets noted above.

Due to the infrastructure affected by these roadway projects (water, sewer and storm sewer) we are suggesting that an application be made to NJEIT for the infrastructure rehabilitation. As per the previous applications (Northwest

Water Extension and Well #5/#7 Radium Remediation), the Town could avail itself to 75% of the project cost at 0% interest and the balance at one half at market rate. Applications for the next funding cycle are due by October 2012. Since the roadway construction plans will include a utility element, the design will be ready for submission for the next year's funding cycle.

***Action Requested:***

Motion by Councilperson Pullia, seconded by Councilperson Rodio, approve the ARH proposal dated March 9, 2012 (copy attached) to complete the fieldwork, design and permitting for the streets noted with Group 'A' listed above for a cost of \$148,500.00. Approve the ARH proposal dated March 8, 2012 (copy attached) to complete the fieldwork, design and permitting for the streets noted within group 'B' listed above for a cost of \$98,200.00. And apply to NJEIT for the infrastructure portions of the project at a cost of \$5,000.00 for the submission this program.

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

The Contractor has completed the majority of the construction work. We will review the roadways completed with the Public Works Committee Chairman and prepare a punchlist noting any items that must be addressed before a final payment invoice is prepared for Council's consideration. We will also review any Change Orders with the PWTC prior to presenting same to Council at a subsequent meeting. We have an initial payment invoice request for Council's consideration.

***Action Requested:***

Motion by Councilperson Rodio, seconded by Councilperson Esposito, approve construction payment invoice #1 to Arawak Paving Co., Inc. in the amount of \$205,343.52 for the work completed to date. This approval would be subject to the ACIA review and verification that all required documents have been supplied by the Contractor.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

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

A Site Remedial Investigation Action Report (dated February, 2012) was completed and submitted to the State. 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 4/2/12 for Council's

consideration and action. We have also received and reviewed 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. The present proposal provided for Council's consideration includes the additional Areas of Concern as provided by the NJDEP. It is our understanding, that the Mayor has met with the representatives from Stockton to review the proposal and the appointment of an LSRP for the site. 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. If acceptable, we are seeking Council's approval for each of the items noted below.

***Action Requested:***

- Motion by Councilperson Esposito, seconded by Councilperson Rodio, approve ARH proposal dated 4/2/12 (copy attached) in the amount of \$19,125.00 to complete the testing required for the site, including the additional AOC's cited by the NJDEP. Appoint Henry Weigel from ARH as the Licensed Site Remediation Professional (LSRP) for the Wallace Realty, Stockton College site.

**ROLL CALL**

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**SEWER & WATER INFORMATIONAL ITEMS:**

**5. 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.

The BSDW permit was issued on March 23, 2012. Therefore, with this permit, we can advertise for bid. However, as reported last month, on behalf of the Town, 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.

As a result of submitting for this funding, the Town cannot advertise for bid until the funding agency approves the project. Should the project be advertised before the NJEIT issues "Pre-Award Approval", funding would be lost. We have explained this situation to Southern Enforcement and they totally agree with postponing the schedule as not to lose the attractive financial package. We have been advised by NJEIT that this project, due to its critical nature and its coverage under an ACO, that it will be the priority

project under review. We anticipate pre-award approval by mid May. At that point, advertisement for bid will be issued and the construction schedule established. Upon issuance of contract, the time of completion is 150 days from Notice to Proceed. As a result, the estimated schedule for this project is as follows:

Bid Advertisement – May 15, 2012  
Bid Receipt - June 13, 2012  
Bid Award – June 25, 2012

Design Contract:

Introduction of the applicable funding ordinance occurred on March 12, 2012 and second reading occurred on 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.

6. **Water Diversion Permit (ARH #11-30088):**  
Now that the rate increase is scheduled for hearing, the conclusion of the increase in water diversion rights will be shortly resolved. Once the rate adjustment is made, the Town will have an increase to its monthly and annual allocation thus allowing for any applicant for connection to the water system to be addressed.
7. **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.
8. **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 which include some minor revisions that were discussed with the PWTC. The Ordinance should be introduced for one of the upcoming Council 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.
9. **Boyer Avenue Land Application and Surface Water Permit Appeal (ARH #11-50058):**  
As a reminder, we submitted a updated report back in November 2011. When we checked with the Pinelands on the status of their review during this past month, they indicated that the response would be released within two to three weeks.

**PUBLIC WORKS INFORMATION ITEMS**

10. **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 submitted on behalf of the Town all documentation requested by the County to have the \$915,750 allocated for acquisition to be reallocated for development. The funding reallocation request included \$650,000 for use on the site work project described above as Contract #1. Additionally, there is a request to use the balance \$265,750 to help offset the cost for Contract #2, which will include the irrigation of the new fields. 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.

**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):**

Once the 2012 municipal budget is adopted, we would request Council's consideration for approval of the ARH proposal to complete the Tax Map Revisions to comply with the State Division of Taxation standards. The completion of the Tax Map is required as the first step in the Revaluation process. It is important to start this task as soon as possible in order to meet the deadlines set by the court.

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

*As previously reported*, the NJDOT has announced they will 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.

*Currently*; it is our understanding the Town will be receiving \$821,883.10 in the form of a grant from NJDOT. Additionally as a requirement of the funding program, the Town will need to contribute 5% or \$43,257.01 toward this project.

**14. Municipal Aid Applications (ARH #11-40041):**

Previously, as authorized we applied on behalf of the Town for the following projects:

Municipal Aid – Pratt Street from Egg Harbor Road to Tilton Street  
**\$156,641.00 Grant Allocation Announced**

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.  
**No allotments made to date.**

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.  
**The Town did not receive funding.**

**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 as to 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. We have also contacted a representative from the Pinelands Commission to request an onsite meeting in conjunction with the pre-application process for this intersection. We will keep Council informed as to when that meeting will occur.

**16. 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 has completed the application forwarded to him from the County to finalize this request. ARH has assisted Frank in that endeavor which was submitted in the end of March.

**17. BellaVita Subdivision (11-20195):**

On Saturday, an onsite inspection was conducted by the Quality of Life Committee related to a request from the developer for consideration of their Project Maintenance Bond Release. A representative from the Homeowner's Association was also present during this and the earlier inspection conducted in February. The majority of the inspection was centered around the operation and appearance of the stormwater recharge basin and the completion of the punchlist items noted as a result of our onsite meeting conducted in February of this year. Each of the five items noted in our February 7, 2012 memorandum have been satisfactorily addressed. We would therefore recommend the following action for Council's consideration.

***Action Requested:***

1. Release of the Letter of Credit #S040453 dated 12/23/09 established by The Bank of Woodbury, N.J. in the amount of \$71,880.00 which served as the Maintenance Bond for the project.
2. Release of any remaining review and inspection escrow funds established for the project once all bills are satisfied. The last bill should be submitted for Council's consideration at the May 14<sup>th</sup> meeting.
3. A letter should be directed to The Bank and the Applicant by the Town Clerk informing them of Council's action.

It should be noted that the two (2) year maintenance period came due in December.

Motion by Councilperson Carpo, seconded by Councilperson Torrissi, approve action on Engineer Report #17 Items 1 thru 3.

**ROLL CALL**

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**18. Kramer Beverage (ARH #11-01000):**

Several months ago, correspondence was received from the bonding company covering Kramer Beverage. The bonding company indicated that the Town had no right to continue to hold a performance bond when the project has been completed for several years.

As a point of the matter, the existing bond was a guarantee that the improvements would be completed and they in fact have been. The Town never released the Performance Bond nor did they convert same to a Maintenance Bond which is the proper mechanism to address the proficiency of completed improvements. Given the position presented by the bonding company, this matter was once again discussed with Town Representatives. Consequently, the proposal to move this matter off center is that the Town is proposing to release the Performance Bond upon presentation of a one year (as opposed to 2 year) Maintenance Bond. The value of Maintenance Bond will remain at \$80,000.00. It should be noted that the Town shares certain responsibility since by design Commerce Way drains into this basin, thus eliminating the need for the Town to have constructed their own basin and lose any valuable land for potential development.

As a condition of this action, the Town will be requiring the execution of an agreement between the Town and Kramer Beverage that essentially commits each entity to mutually consent to share in any future plan that is determined to be economically feasible and technically practical to address the conditions of the basin should action need to be taken to protect the health, safety and welfare of the surrounding area as related to the basins operation.

An agreement to release the performance bond and convert to a one year maintenance bond has been drafted. A final step involved a review from the Quality of Life Committee which occurred on March 31, 2012.

*Further explanation will be covered under the Solicitor's Report and as such he will be requesting adoption of the Agreement and release of the Performance Bond.*

Motion by Councilperson Carpo, seconded by Councilperson Torrissi, release performance bond contingent upon posting and approval of maintenance bond under provisions of agreement by ARH.

**ROLL CALL**

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**SOLICITOR REPORT**

1. Lindsey Giannini Project (taken up under Dispense with Regular Order of Business)
2. Stockton (Project Status)
3. COAH (taken up under Dispense with Regular Order of Business referred to Adm Comm)
4. Kramer Beverage (taken up under Engineer Report)
5. Clustering Ordinance
6. Policy re: K-9 dogs
7. Restriction on Municipal Employment (refer to Adm Comm)

8. Pulte/Royce session 4/26 or 5/3
9. Welcome Jerry Barberio to the Town

TOWN CLERK REPORT

1. Authorize Michael Malinsky represent Town-Treatment Solutions Litigation not to exceed \$5000.00
2. Approve waiver of curb & sidewalk Block 2104 Lot 33, 458 Walnut Street
3. Approve CFO contract for 2012 \$21,925.00 (no increase from 2011)

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, approve Town Clerk Report Items 1 thru 3.

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 EMERGENCY APPROPRIATION RESOLUTION, BILL LIST, AND PURCHASE ORDERS

RESOLUTION # 048D-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:

Finance S&W	
2-01-20-103-100	\$10,000
Collection of Taxes S&W	
2-01-20-105-100	\$ 10,000
Legal O.E.	
2-01-20-106-200	\$ 12,500
Planning Board	
2-01-21-109-100	\$2,000
Construction S&W	
2-01-22-126-100	\$ 12,200

Group Ins. O.E.	
2-01-23-144-200	\$ 55,000
Workman's Comp (JIF)	
2-01-23-116-200	\$189,000
Police S&W	
2-01-25-119-100	\$282,000
Police Radio S&W	
2-01-25-120-100	\$20,500
Highway S&W	
2-01-26-123-100	\$96,000
Highway O.E	
2-01-26-123-200	\$30,000
Dog Regulations	
2-01-27-125-200	\$630
Recreation S&W	
2-01-28-131-100	\$500
Recreation O.E.	
2-01-28-131-200	\$1,000
Airport S&W	
2-01-30-137-100	\$230
Gasoline O.E.	
2-01-31-11E-200	\$30,000
Natural Gas O.E.	
2-01-31-11F-200	\$10,000
Street Lighting	
2-01-31-138-200	\$65,000
Telephone O.E	
2-01-31-139-200	\$15,000
Social Security	
2-01-36-145-200	\$26,000
Court S&W	
2-01-43-201-100	\$16,200
Water S&W	
2-05-55-601-111	\$60,000

Water Social Security	
2-05-55-609-277	\$6,000

Motion by Councilperson Esposito, seconded by Councilperson Furgione, approve #R048D-2012 emergency appropriation resolution, the bill list and purchase order approvals for April 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 #011-2012 Salary Class II Special Police Officer (Part Time)

Ordinance #011-2012

AN ORDINANCE FIXING THE SALARIES OF CERTAIN  
EMPLOYEES OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

SECTION 1. There is hereby adopted the following salaries for employees of the Town of Hammonton.

TITLE	MINIMUM	MAXIMUM
Class II Special Police Officer P.T.	\$15.00 hr.	\$20.00 hr.

SECTION 2. The amount to be paid to each official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

SECTION 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect after final passage and publication.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, the ordinance is 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 #012-2012 Amend Chapter 16-2 Election Districts

Ordinance #012-2012  
AN ORDINANCE AMENDING CHAPTER 16-2 ENTITLED ELECTION DISTRICTS

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY THAT THE FOLLOWING ELECTION DISTRICTS ARE HEREBY ADOPTED:

District 1

Beginning at the SE corner of the Town of Hammonton, Atlantic County at the intersection of the Borough of Folsom and the Twp. of Hamilton, Atlantic County shared borders:

Thence, NW following along the Borough of Folsom and the Town of Hammonton, Atlantic County shared borders to a point where said border intersects with the physical centerline of 12<sup>th</sup> Street. (Rt. 54);

Thence, NE following the physical centerline of 12<sup>th</sup> St. (Rt. 54) crossing the right of way of the Atlantic City Expressway (SJTA) to its point of intersection with the physical centerline of Grand St.;

Thence, SE along the physical centerline of Grand St., to its point of intersection with the physical centerline of 11<sup>th</sup> St.;

Thence, NE along the physical centerline of 11<sup>th</sup> St., to its point of intersection with the physical centerline of the New Jersey Transit Atlantic City Line property;

Proceed, SE, following along the physical centerline of the NJ Transit Atlantic City Line property, to a point where said border intersects with the Twp. of Mullica and the Town of Hammonton, Atlantic County shared border;

Continue SW following along the Twp. of Mullica and the Town of Hammonton, Atlantic Co. shared border crossing the right of way of the A.C. Expressway (SJTA) to a point at the SE corner of the Town of Hammonton, Atlantic Co. on the shared border with the Borough of Folsom and the Twp. of Hamilton, Atlantic Co. which is also the point of beginning.

District 2

Beginning at a point in the Borough of Folsom and the Town of Hammonton, Atlantic Co. shared borders where said border intersects with the physical centerline of 12<sup>th</sup> St. (Rt. 54);

Thence, NW following the Borough of Folsom, Atlantic Co. shared border, crossing the right of way of Mayslanding Blue Anchor Rd., (Co. Rt. 561 Spur) to a point where said border intersects with the Twp of Winslow, Camden County and Town of Hammonton, Atlantic Co. shared border;

Proceed NE along the Twp of Winslow, Camden Co. and Town of Hammonton, Atlantic Co. shared border, crossing the right of way of the Atlantic City Expressway (SJTA) then crossing the right of way of the S. Egg Harbor Rd. (Co Rt 561) to a point where said border intersects with the physical centerline of NJ Transit Atlantic City Line property;

Thence, SE along the physical centerline of the NJ Transit Atlantic City Line property, to its point of intersection with the physical centerline of 13<sup>th</sup> St. (Co Rt 678);

Continue SW along the physical centerline of 13<sup>th</sup> St. (Co Rt 678) to its point of intersection with the physical centerline of Messina Ave.;

Thence SE following along the physical centerline of Messina Ave., to a point where said border intersects with the physical centerline of Pleasant St.;

Thence SW following along the physical centerline of Pleasant St. to a point where said border intersects with the physical centerline of Grand St.;

Thence SE following along the physical centerline of Grant St. to a point where said border intersects with the physical centerline of right of way of 12<sup>th</sup> St. (Rt. 54);

Thence SW following along the physical centerline of 12<sup>th</sup> ST. (Rt 54) crossing the right of way of Atlantic City Expressway (SJTA) to a point where said border intersects with a point in the Borough of Folsom and the Town of Hammonton, Atlantic Co shared borders which is also the point of beginning.

District 3

Beginning at a point where the physical centerline of 12<sup>th</sup> St. (Rt 54) is intersected by the physical centerline of 4<sup>th</sup> St.;

Thence NW following the physical centerline of 4<sup>th</sup> St. to a point where said border intersects with the physical centerline of Fairview Ave. (Co Rt 678);

Proceed SW along the physical centerline of the Fairview Ave (Co Rt 678) to a point where said border intersects with the physical centerline of 3<sup>rd</sup> St. (Co Rt 724);

Continue North then NW along the physical centerline of 3<sup>rd</sup> St./Wiltsey's Mill Rd. (Co Rt 724) to its point of intersection with the Town of Hammonton, Atlantic County and Twp of Winslow Camden County shared border;

Proceed NE following along the Town of Hammonton Atlantic Co and Twp of Winslow Camden Co shared border to its point of intersection with the Town of Hammonton, Atlantic Co and Twp of Water Camden Co and Twp of Shamong Burling Co shared border;

Thence SE following along the Town of Hammonton Atlantic Co and Twp of Shamong Burling Co shared border to a point where said border intersects with the physical centerline of Trenton Rd (Rt 206);

Proceed South following along the physical centerline of Trenton Rd (Rt 206) crossing the right of way of Waterford Rd (Co Rt 536) then crossing the right of way of Middle Rd (Co Rt 613) to a point where said border intersects with the physical centerline of White Horse Pike (Rt 30);

Thence NW following along the physical centerline of White Horse Pike (Rt 30) to its point of intersection with the physical centerline of 12<sup>th</sup> St. (Rt 54);

Thence SW following along the physical centerline of 12<sup>th</sup> St. (Rt 54) to its point of intersection with the physical centerline of 4<sup>th</sup> St., which is also the point of beginning.

District 4

Beginning at a point where the Town of Hammonton and the Twp of Mullica, Atlantic Co shared borders is intersected by the physical centerline of Sewell Ave;

Thence NW following along the physical centerline of Sewell Ave, to a point where said border intersects with the physical centerline of the WHP (Rt 30);

Proceed North then NW following along the physical centerline of the WHP (Rt 30) to its point of intersection with the physical centerline of Trenton Rd (Rt 206);

Thence, North following along the physical centerline of Trenton Rd (Rt 206) crossing the right of way of Middle Rd (Co Rt 613) then crossing the right of way of Waterford Rd, (Co Rt 536) to its point of intersection with the Town of Hammonton, Atlantic Co and Twp of Shamong Burling Co border;

Thence SE following along the Town of Hammonton Atlantic Co and Twp of Shamong Burlington Co shared border to its point of intersection with the centerline of the Mullica River (a waterway) which is also the Twp of Washington Burling Co and the Twp of Mullica Atlantic Co shared border;

Thence SW following along the Town of Hammonton and Twp of Mullica Atlantic Co shared border crossing the right of way of Columbia Rd (Co Rt 693) then crossing the right of way of Pleasant Mills Rd (Co Rt 542) to its point of intersection with the physical centerline of Sewell Ave, which is also the point of beginning.

District 5

Beginning at a point where the Town of Hammonton and the Twp of Mullica, Atlantic Co shared borders is intersected by the physical centerline of the NJ Transit Atlantic City Line property;

Thence NW following along the physical centerline of the NJ Transit Atlantic City Line property, to a point where said border intersects with the physical centerline of 11<sup>th</sup> St.;

Then NE following along the physical centerline of the 11<sup>th</sup> St. to its point of intersection with the physical centerline of Egg Harbor Rd (Co Rt 561);

Thence NW following along the physical centerline of Egg Harbor Rd (Co Rt 561) to its point of intersection with the physical centerline of Grape St.;

Thence NE following along the physical centerline of Grape St. to its point of intersection with the physical centerline of Valley Ave;

Thence SE following along the physical centerline of Valley Ave to its point of intersection with the physical centerline of Broadway (Co Rt 680);

Thence South following along the physical centerline of Broadway (Co Rt 680) to its point of intersection with the physical centerline of Greenwood Dr;

Thence West following along the physical centerline of Greenwood Dr, to its point of intersection with the physical centerline of Allen Lane;

Thence South following along the physical centerline of Allen Lane to its point of intersection with the physical centerline of Central Ave. (Co Rt 542);

Thence East following along the physical centerline of Central Ave. (Co Rt 542) to its point of intersection with the physical centerline of the WHP (Rt. 30);

Thence South following along the physical centerline of the WHP (Rt 30) to its point of intersection with the physical centerline of Sewell Ave;

Thence East following along the physical centerline of Sewell Ave to its point of intersection with the Town of Hammonton and the Twp of Mullica Atlantic Co shared borders;

Thence SW following along the Town of Hammonton and the Twp of Mullica Atlantic Co shared borders to its point of intersection with the physical centerline of the NJ Transit Atlantic City Line property which is also the point of beginning.

District 6

Beginning at a point where the physical centerline of 12<sup>th</sup> St. (Rt 54) is intersected by the physical centerline of Grand St;

Thence NW following along the physical centerline of Grand St, to a point where said border intersects with the physical centerline of Pleasant St;

Thence NE following along the physical centerline of the Pleasant St., to its point of intersection with the physical centerline of Messina Ave;

Thence NW following along the physical centerline of Messina Ave to its point of intersection with the physical centerline of 13<sup>th</sup> St. (Co Rt 678);

Thence NE following along the physical centerline of 13<sup>th</sup> St. (Co Rt 678) to its point of intersection with the physical centerline of the NJ Transit Atlantic City Line property;

Thence NW following along the physical centerline of the NJ Transit Atlantic city Line property, to its point of intersection with the Town of Hammonton, Atlantic Co and the Twp of Winslow, Camden Co shared border;

Thence NE following along the Town of hammonton Atlantic Co and the Twp of Winslow Camden Co shared border, to its point of intersection with the physical centerline of 3<sup>rd</sup> St./Wilsey Mill Rd (Co Rt 724);

Then South following along the physical centerline of 3<sup>rd</sup> St./Wilsey Mill Rd (Co Rt 724) to its point of intersection with the physical centerline of 3<sup>rd</sup> St. (Co Rt 724);

Thence SE following along the physical centerline of 3<sup>rd</sup> St. (Co Rt 724) to its point of intersection with the physical centerline of Fairview Ave (Co Rt 678);

Thence NE following along the physical centerline of Fairview Ave (Co Rt 678) to its point of intersection with the physical centerline of 4<sup>th</sup> St.;

Thence SE following along the physical centerline of 4<sup>th</sup> St. to its point of intersection with the physical centerline of 12<sup>th</sup> ST. (Rt 54);

Thence SW following along the physical centerline of 12<sup>th</sup> St (Rt 54) to its point of intersection with the physical centerline of Grand St, which is also the point of beginning.

District 7

Beginning at the point where the physical centerline of 11<sup>th</sup> St. is intersected by the physical centerline of Grant St.;

Thence, NW following along the physical centerline of Grand St., to a point where said border intersects with the physical centerline of 12<sup>th</sup> St. (Rt. 54);

Thence, NE following along the physical centerline of the 12<sup>th</sup> St. (Rt 54/Bellevue Ave.), to its point of intersection with the physical centerline of the White Horse Pike (Rt 54/Bellevue Ave.);

Thence, SE following along the physical centerline of the White Horse Pike (Rt 30) to its point of intersection with the physical centerline of Central Ave. (Co Rt 542);

Thence, West, following along the physical centerline of Central Ave. (Co Rt 542), to its point of intersection with the physical centerline of Allen Lane;

Thence, North, following along the physical centerline of Allen Lane, to its point of intersection with the physical centerline of Greenwood Dr;

Thence, West, following along the physical centerline of Greenwood Dr. to its point of intersection with the physical centerline of Broadway (Co Rt 680);

Thence, North, following along the physical centerline of Broadway (Co Rt 680) to its point of intersection with the physical centerline of Valley Ave.;

Thence, NW following along the physical centerline of Valley Ave. to its point of intersection with the physical centerline of Grape St;

Thence, SW following along the physical centerline of Grape St. to its point of intersection with the physical centerline of Egg Harbor Rd. (Co Rt 561);

Thence, SE following along the physical centerline of Egg Harbor Rd. (Co Rt 561) to its point of intersection with the physical centerline of 11<sup>th</sup> St.;

Thence, SW following along the physical centerline of 11<sup>th</sup> St. to its point of intersection with the physical centerline of Grand St., which is also the point of beginning.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, the ordinance is 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

#R048E-2012 Authorize NJ ABC to Renew Conflict Liquor License

#R 048E-2012  
Town of Hammonton  
County of Atlantic  
Resolution Authorizing NJ ABC to Renew Conflict Liquor License

WHEREAS, the following liquor license holders have applied for renewal of 2011/2012 Plenary Retail Consumption Licenses:

<u>License #</u>	<u>License Name</u>	<u>License Holder</u>	<u>Location</u>
0113 33 006	DiDonato's Bowling Center	Stephen DiDonato	1151 WHP

WHEREAS, the applicant is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, the subject license is a "conflict" license. Accordingly, said renewal application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic and State of New Jersey that the Governing Body has no objection to the renewal of Plenary Retail Consumption License and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

Motion by Councilperson Torrissi, seconded by Councilperson Carpo, resolution #048E-2012 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.

#049-2012 Salary Resolution PWM/Business Administrator

#R049 - 2012  
RESOLUTION

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of the certain Town Officials of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council; and

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, Atlantic County, New Jersey as follows:

<u>Employee</u>	<u>Title</u>	<u>Salary Eff 4/16/12</u>
Jerome Barberio	Public Works Mgr/Bus Adm	\$90,000.00

#R050-2012 Approve Tri Vet Memorial Day Parade and Road Closure

RESOLUTION # 50 -2012

RESOLUTION AUTHORIZING AND ENDORSING  
THE ANNUAL "TRI VET MEMORIAL DAY PARADE"

WHEREAS, the Tri Vets continue to promote the Town of Hammonton with their annual "Tri Vet Memorial Day Parade"; and

WHEREAS, Mayor and Council continues to support the efforts of the Tri Vets; and

WHEREAS, May 28, 2012 is the scheduled date for the Tri Vet Memorial Day Parade and Ceremony beginning at 10:30 a.m.; and

WHEREAS, the Tri Vets have requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following street in the Town of Hammonton during the parade from 10:30 a.m. to 11:00 a.m.:

Bellevue Avenue (Rt. 54) from Railroad Avenue to Tilton 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 Tri Vet Memorial Day Parade is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

Filing of required State written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R051-2012 Authorize Interlocal Agreement Recycling Service Contract with ACUA

\*new contract reflects CPIU increase from \$17,543.00 per month to \$18,071.33 per month

RESOLUTION # 051 -2012

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT FOR  
RECYCLING SERVICES WITH THE ATLANTIC COUNTY UTILITIES AUTHORITY

**WHEREAS**, the Town of Hammonton is statutorily authorized to enter into Interlocal Services Agreements with State, County and Local Governments; and

**WHEREAS**, the Town of Hammonton has determined that there exists a need for recycling services; and

**WHEREAS**, the Atlantic County Utilities Authority provides such services.

**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 as follows:

The Agreement which is annexed hereto and made a part hereof with Atlantic County Utilities Authority is approved.

That the Mayor and Town Clerk are hereby authorized to execute an Agreement with the Atlantic County Utilities for recycling services.

#R052-2012 Cancel Uncashed Checks - Municipal Court Account

#R052-2012

WHEREAS, the following checks, from the Municipal Court Account are outstanding for more than six months

WHEREAS, the auditors recommend canceling said checks

CHECK NUMBER	CHECK AMOUNT
1020	1.00
1021	2.00
1057	1.00
1059	1.00
1068	1.00
1075	1.00
1076	2.00
1085	1.00
1092	1.00
1093	1.00
1094	1.00
1110	3.00
1114	1.00
1115	1.00
1144	1.00
1161	1.00
1163	11.00

NOW THEREFORE BE IT RESOLVED by Mayor and Council to authorize the Town Accountant to cancel the above checks.

#R053-2012 USDA Loan Resolution – Acquisition of Rescue Truck

#R 053-2012

USDA LOAN RESOLUTION

A resolution of the Town of Hammonton in the County of Atlantic, State of New Jersey, authorizing an providing for the incurrence of indebtedness for acquisition of rescue truck.

Whereas, it is necessary for the Mayor and Council of the Town of Hammonton (herein after called Association) to raise a portion of the cost of such undertaking by issuance of its Community Programs Assumption Agreement in the principal amount of \$60,226.77.

Whereas, the Association intends to obtain assistance from the Rural Housing Service, Rural Business – Cooperative Service, Rural Utilities Service, or their successor Agencies with the USDA, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the execution of the Community Programs Assumption Agreement.

Now, Therefore, in consideration of the premise the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the execution of the Community Programs Assumption Agreement containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of the loan being assumed through the Community Programs Assumption agreement upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance the Loan Being assumed through the Community Programs assumption Agreement by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333© of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the Community Programs Assumption Agreement or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the loan being assumed through the Community Programs Assumption Agreement or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the loan being assumed through the Community Programs Assumption Agreement or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the loan being assumed through he Community Programs Assumption Agreement, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the Community Programs Assumption Agreement.
8. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
9. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.
10. Blank.
11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereto and of the instruments incident to the making or insuring of the loan.
14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
  - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
  - (b) Repairing or replacing short lived assets.
  - (c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon Failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
16. To comply with the measures identified in the Government's environmental impact analysis for the facility for the purposes of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
17. To accept a grant in an amount not to exceed \$60,226.77 under the terms offered by the Government: that the Mayor and Council of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making of the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

#R 054-2012

A RESOLUTION APPROVING THE CONTRACT FOR THE AWARD  
OF LEASE/PURCHASE OF POLICE VEHICLES AND COMPUTER EQUIPMENT FOR VEHICLES

WHEREAS, there exists a need for lease/purchase of police vehicle(s) and computer equipment for the Vehicles for the Hammonton Police Department; and

WHEREAS, the Chief of Police, Robert Jones, has recommended, after comparing the price and particular suitability, that a contract be awarded to Winner Ford to purchase the cars under state contract, and to obtain financing for the lease through Susquehanna Bank, in the amount not to exceed \$ 180,000.00 for said vehicle(s) and computer equipment; and

WHEREAS, funds are available under the Police Operating budget appropriation; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into an agreement with Winner Ford, for the purchase of the police vehicle(s) and financing from Susquehanna Bank, and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law as a State Approved Contractor #T-2776, T-0106, A74009, A74011, A75583 and A75947; and

BE IT FURTHER RESOLVED, that the contract is subject to the mutual acceptance of the appropriate contact documentation between the Winner Ford and the Town of Hammonton.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, resolutions 49 thru 54 are 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.

PUBLIC HEARD

Mark Santora and Josephine Santora

Mr. Santora commented on the water rate ordinance. He then questioned disposal costs for radium?

Councilman Pullia responded that is all inclusive in the contract.

Mr. Santora, referring to letter from R&V dated 2/3/2012, proceeded to read same into the record as he has received several questions concerning the letter.

Yuli Chew

Mr. Chew once again commented about the water rate ordinance introduced this evening.

Jim Maclane

Mr. Maclane posed questions concerning water rate and tax increase to which Mayor and Council responded.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk