

Regular Meeting of Mayor and Council – June 25, 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

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

#R060-2012 Executive Session

#R060-2012

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. Thru the fence
2. Succession Planning at Water Department
3. Massara Agreement
4. Berenato & Cioffi
5. Raso/Rt 54
6. Treatment Solutions Litigation
7. Paradise Lakes

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 to enter executive session 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

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

Mayor DiDonato invited Steve Johnson and Boy Scouts Troup 58 to lead the Pledge of Allegiance

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Joseph Ingemi – Pleasant Street

Mr. Ingemi questioned the resolution for the corrective action plan for the 2011 audit that appears on the agenda this evening.

Mr. Frank Zuber, Town Accountant, advised no appropriation was made in error because the town did not fund the project.

Brian Howell, Town Solicitor, advised this was not a local expenditure and he does not appreciate Mr. Ingemi alluding to poor legal advice.

APPROVAL OF MINUTES

Executive Session May 14, 2012

Regular Meeting May 14, 2012

Special Meeting June 15, 2012

Motion by Councilperson Esposito, seconded by Councilperson Rodio, the minutes of the above listed meetings 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. Police Promotions

Chief Robert Jones thanked Mayor and Council for consideration of the following police promotions that are on the agenda this evening and announced each individually.

Motion by Councilperson Pullia, seconded by Councilperson Carpo, approve promotion of Stephen Zoyac to Police Lieutenant, annual base salary \$95,875.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Motion by Councilperson Furgione, seconded by Councilperson Esposito, approve promotion of Sam Angello to Police Sergeant, annual base salary \$84,396.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Motion by Councilperson Rodio, seconded by Councilperson Torrissi, approve the following Corporal promotions with no pay increase:

Michael Carelli
John Panarello Jr.
James Pinto

ROLL CALL

Councilpersons:
Carpo - Yes
Esposito - Yes
Furgione - Yes

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

Mayor DiDonato declared the motion carried.

Oath of Office issued to those officers promoted by the Municipal Clerk.

FIVE MINUTE RECESS

Mayor DiDonato called a five minute recess for those in the audience to be able to congratulate their loved ones.

1a. Dan Bachalis, Chairman Green Committee

Mr. Bachalis advised Mayor and Council on several awards received by the Green Committee and presented a gift for their support of the Green Committee.

2. Hearing Ordinance #014-2012 Job Performance Evaluation Process

Motion by Councilperson Rodio, seconded by Councilperson Esposito, 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 Esposito, the hearing is closed, the ordinance is passed second reading and 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. Hearing Ordinance #015-2012 Amend Chapter 271 Speed Zones (Walnut)

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

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

4. Hearing Ordinance #016-2012 Amend Bond Ordinance #009-2012 Green Acres Grant

Motion by Councilperson Rodio, seconded by Councilperson Pullia, 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 is passed second reading and adopted.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

5. Hearing Ordinance #017-2012 Appropriating \$158,130 Demolition of Building

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

Councilman Torrissi requested confirmation that the funding came from the JIF and will be used for demolition purposes only.

Mayor DiDonato concurred.

ROLL CALL

Councilpersons:
Carpò - Yes
Esposito - Yes
Furgione - Yes
Pullia - Yes

Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

6. Hearing Ordinance #018-2012 Special Emergency Appropriation-Tax Map

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

No one desired to be heard.

Motion by Councilperson Esposito, seconded by Councilperson Carpo, the hearing is closed, the ordinance is passed second reading and 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.

COMMITTEE REPORTS

Administration -Councilperson Esposito

Defer Administration Committee meeting report to the Business Administrator

Business & Industry-Councilperson Esposito

Welcomed new businesses
Advised on upcoming events

Education-Councilperson Furgione

Report on school construction projects

Public Works & Transportation-Councilperson Rodio

Deferred report to Public Works Manager Report & Engineer Report

Law & Order-Mayor DiDonato

Taken up under Dispense

Quality of Life – Councilperson Torrissi

Congratulated Green Committee and other committees who work hard for the Town of Hammonton

Water & Sewer – Councilperson Pullia

Defer Action Items to Engineer Report
Radium Update
Reminder to conserve water
Update on various utility and road projects

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

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

The Contractor has completed the project construction. We have placed a final payment invoice for Council's consideration. We have also finalized the quantities, prepared a final change order, and met with the PWTC so that the project could be closed out for the June Council meeting. Once final payment is made, reimbursement of the allotted funds could be requested. We will also need a copy of the cancelled checks for the reimbursement request. The final contract amount will be \$251,567.64 which is a 3.9% reduction from the original contract value. The final change order reflects the same reduction.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve the following:

1. Final payment invoice in the amount of \$22,086.72.
2. Final change order request representing a contract reduction of 3.9% +/-

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. Hammonton Tax Map Revisions, Property Revaluation (P2011.0485):

Attached is our ARH proposal dated 5/11/12 related to the completion of the tax map revisions that would allow for submission and review by the State Division of Taxation. The revised project scope and amount is detailed in the proposal. It is our understanding that the final reading and public hearing for the project funding will occur at this Council meeting. If passed, we will be seeking approval of the proposal by Council subject to the 20 day appeal period. We have begun some of the preliminary project set-up and coordination work required for the project so that once the Purchase Order is issued and the official Notice to Proceed is obtained, the work could begin. As mentioned on a number of occasions, ARH will put forth its best effort to meet the deadlines established by the Courts.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, approve the following:

ARH proposal #11-0485 dated 5/11/12 (attached) totaling \$45,000 and issuance of the project purchase order subject to the 20 day 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.

3. Skinner Building – Egg Harbor Road (11-01074):

An HDSRF Grant (\$39,643) was prepared by ARH sometime ago as requested by Council for this case and recently approved by NJDEP and NJEDA on May 16, 2012. **It is understood that the Town (Frank Zuber) is currently trying to satisfy NJEDA's requirements to provide written acceptance of the grant and other administrative items.**

In connection with the grant approval, ARH provided the Town with a proposal dated May 21, 2012, (copy attached) to complete the 'site investigation' work. **If funding is in place, it recommended that the Town authorize this work in the total amount of \$38,535.**

ARH also recently met on-site with Town staff and a tank removal contractor to discuss the scope of the non-grant funded work (i.e., tank removals, waste disposal, etc.); and for which a proposal is forthcoming. It is understood that the Town intends to fund some or all of this work through Ordinance #017-2012, which provided for \$158,130 for the safe demolition of the building.

No action taken this evening.

4. Gino Pinto Street Vacation Request, Site Plan (11-10026.02):

We were provided with a letter dated 5/31/12 directed to April Maimone from Charles Gemmel representing GKP Real Estate, LLC and GKP II, LLC. The letter requests that the Town consider the vacation of a portion of three (3) paper streets in the area adjacent to Gino Pinto's commercial building on the White Horse Pike. Attached are two sketches prepared by the Design Consultant for reference. One sketch notes a proposed site plan for Gino Pinto, Inc. The second sketch notes portions of the three (3) streets in the area of the proposed development that are being requested for vacation consideration. The three (3) streets included in the vacation request are portions of Terrace, Forrest and Bala Avenues as depicted on the street vacation plan.

We have discussed the request with the Design Consultant and the Town Solicitor. In order to proceed with a Pinelands submission for the site plan as proposed, the Applicant is requesting that a letter be drafted under the Mayor's signature indicating the following:

1. The Town would not object to the Applicant filing an application with the Pinelands Commission for site plan approval consideration as presently depicted.
2. If the site plan receives approval from the Pinelands Commission, NJDOT, the Town Planning Board., etc., a formal application could then be made to the Town for street vacation consideration by following the established procedures to request said street vacation.

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, approve the following:

1. Authorize the Town Solicitor and the Town Engineer to draft a letter encompassing the information noted above that would allow the Applicant to proceed with a Pinelands submission.
2. The Applicant would be required to pay for all costs associated with the work required to be completed by the Town Solicitor and Engineer. The Applicant should post \$750 with the Town in an escrow account to cover the first portion of the street vacation and Pinelands submission request.

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. Atlanticare Site Plan, Phase I Performance Bond Release:

At the March 26th meeting, Council approved the reduction of the project Performance Bond for the Phase I portion of the site from \$2,575,207.00 to \$772,562.10. The Phase I Performance Bond #B-1086881 dated 7/23/10 was posted by Selective Insurance Company of America. Since that time, the remaining outstanding items have been completed and the Applicant has requested a total release of their Performance Bond for Phase I. The Quality of Life Committee is scheduled to visit the site this Saturday, June 23rd. We would request Council's consideration for release of the project Performance Bond subject to compliance with the following conditions:

1. Favorable review and approval by the Quality of Life Committee.
2. Posting of a project Maintenance Bond in the amount of \$386,281.05 to remain in effect for a period of two (2) years from July 1, 2012.
3. Review and approval of the Maintenance Bond by the Town Solicitor and Risk Manager.
4. Any and all outstanding bills must be satisfied. The final payment invoice will be submitted for payment at the July Council meeting.

Motion by Councilperson Carpo, seconded by Councilperson Esposito, approve the following:
Release of the project Performance Bond #B-1086881 provided by Selective Insurance Company of America for the Phase I portion of the site subject to compliance with the conditions noted above.

Councilman Torrissi questioned has the retention pond been inspected and approved?

Mayor confirmed retention pond is working properly.

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. Dahodwala Site Plan CO Request and Performance Bond Release (11-12040.02):

The Applicant has been proceeding with the completion of the site improvements as depicted and approved by the Town Planning Board. The site improvements will be completed shortly and the Applicant is requesting approval for the issuance of a Certificate of Occupancy and a release of the site Performance Bond. The Performance Bond #1S0012163 was provided through an Irrevocable Standby Letter of Credit issued 5/24/12 by Wells Fargo Bank, N.A. in the amount of \$75,200.00. Since the Applicant will be seeking a Certificate of Occupancy in between the June and July Council meetings, we will be conducting an onsite inspection with the Quality of Life Committee on Saturday, June 23rd to review the status of said improvements.

Motion by Councilperson Carpo, seconded by Councilperson Torrissi, approve the following:
Issue Certificate of Occupancy and release of the Project Site Improvement Performance Bond subject to compliance with the following conditions:

1. Favorable inspection report by the Town's Quality of Life Committee.
2. Completion of any outstanding items noted in the project site improvement inspection.
3. Favorable inspection of site improvements by the Town's Construction Official.
4. Subject to final inspection and approval of site improvements by the Planner and Traffic Consultant.

5. Posting of a Project Maintenance Bond equal to \$11,280.00 which will remain in effect for a period of two (2) years from July 1, 2012.
6. The Town Solicitor and Risk Manager must approve the form of the Project Maintenance Bond.
7. The Applicant will be responsible to satisfy any and all bills associated with the project inspection, Performance Bond release and issuance of a Certificate of Occupancy.
8. Final inspection and sign off from the Cape Atlantic Soils Conservation District.
9. The Town Clerk issuance of a letter related to the Performance Bond release upon the applicant satisfying the conditions noted above and receipt of a letter from the Town Engineer's stipulating to this fact.

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 ACTION ITEMS

7. Hammonton Water System - Radium (ARH #11-30152):

Radium at Well #5/#7:

The NJEIT has issued an Authorization to Advertise on May 29, 2012. As a result, the following schedule was implemented:

Bid Advertisement – June 6, 2012

Bid Receipt - June 22, 2012

Bid Award – June 25, 2012

Assuming there are no problems with the bids, a recommendation of award will be made the night of the meeting. Therefore, Notice to Proceed will be issued on or about September 1 and the construction schedule calls for a 180 calendar day timeframe, resulting an expected substantial completion date of February 1, 2013. This scheduled can be influenced by the ability of the manufacturer of the equipment to deliver same in an expeditious manner.

Authorize Acceptance of Bids

Motion by Councilperson Esposito, seconded by Councilperson Pullia, accept all bids as received.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R060A-2012 Award Bid – Radium Treatment Facility

RESOLUTION # 060A- 2012
 RESOLUTION AWARDING BIDS ON RADIUM TREATMENT FACILITY
 WELLS #5 & #7

WHEREAS, the Town of Hammonton received bids the Wells #5 and #7 Radium Treatment Facility Project; and

WHEREAS, said bids were received on June 22, 2012 and consisted of a base bid and four alternates; and

WHEREAS, five (5) bids were received and were evaluated with regard to the base bid and alternates; and

WHEREAS, the summary of the bids received for the base bid and all alternates are as follows with a complete bid tabulation form attached hereto to identify the various potential award scenarios:

Contractor	Cost
B&H	\$1,767,585.00
TKT Construction	\$1,769,900.00
Clyde Lattimer	\$1,784,400.00
Quad Construction	\$1,833,000.00
Level 1	\$1,840,000.00

WHEREAS, the recommendation of award to Mayor and Council was to consider all alternates with the exception of alternate #1, which would have substituted a natural gas generator for a diesel fueled generator contained in the base bid; and

WHEREAS, it was recommended and agreed that the cost to substitute a natural gas generator was excessive; and

WHEREAS, after review from the Town Engineer and consideration of the funding made available from the New Jersey Environmental Infrastructure Trust Program (NJEIT), the Town Engineer has recommended to the Mayor and Town Council to accept and award the base bid on the Radium Removal Treatment System, Alternate #2A, #2B and #3, which is depicted in the bid summary below; and

Contractor	Cost
TKT Construction	\$1,597,900.00
B&H	\$1,646,455.00
Level 1	\$1,712,000.00
Clyde Lattimer	\$1,743,400.00
Quad Construction	\$1,775,000.00

WHEREAS, based on the award recommendation, the lowest responsible bidder on the project was TKT Construction of Berlin NJ, in the amount of \$1,597,900.00; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton award the base bid on the Wells #5 and #7 Radium Removal Treatment System, Alternate #2A, #2B and #3 as received on June 22, 2012 TKT Construction in the amount 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 in accordance with the requirements of said program.
2. Contingent upon the review and approval of the authorization to award package by the New Jersey Department of Environmental Protection.
3. Subject to certification as to the availability of funds from the Town's Chief Financial Officer.
4. 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.
5. 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, resolution 060A is adopted.

Councilman Pullia advised the committee met with the Municipal Utility Superintendent and the NJ DEP and we feel confident that the award this contract is appropriate.

Councilman Furgione questioned the project start time?

Mr. Vettese responded 1-2 months.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R060B-2012 Award Contract Construction Management Services Radium Treatment Facility

R#060B-2012

AUTHORIZING ADAMS, REHMANN & HEGGAN ASSOC., INC.
TO PERFORM CONSTRUCTION MANAGEMENT SERVICES FOR
TOWN OF HAMMONTON
THE RADIUM REMOVAL TREATMENT FACILITY
WELLS #5 AND #7

WHEREAS, the Town of Hammonton received bids the Wells #5 and #7 Radium Treatment Facility Project; and

WHEREAS, said bids were received on June 22, 2012; and

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey received funding from the New Jersey Environmental Infrastructure Trust (NJEIT) to allow for the treatment of radium contamination and construction of a radium treatment plant at Wells #5 and #7; and

WHEREAS, inclusive in said funding from NJEIT and a prerequisite for the award of contract, ARH provided a construction management proposal for the coverage of this project; and

WHEREAS, the Town of Hammonton has awarded a contract for said improvements and will require construction management services; and

WHEREAS, the Town Engineer previously submitted a proposal for construction management and inspection services in the amount of \$60,000.00 that required execution as a condition of funding and was in the original budget when the ordinance for this project was adopted; and

WHEREAS, funds were available for the execution of this contract for construction management services as attached hereto; and

WHEREAS, confirming action by Mayor and Council for the award of this contract is hereby acknowledged since the award of the radium treatment project will be awarded; and

THEREFORE BE IT RESOLVED, that the Mayor and Town Council hereby officially acknowledge the authorization to Adams, Rehmann & Heggan Assoc., Inc. to perform the tasks noted in the proposal in the amount of \$60,000.00 subject to certification of availability of funds from the CFO.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, resolution 060B 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.

Radium at Well #4:

Second quarter testing occurred at Well #4 on April 18, 2012, whereby the gross alpha limit was again exceeded. Also, the Running Annual Average (RAA) was over the limit. As a result, the Town must again provide public notice of these occurrences. Now that Well #4 along with Wells #5 and #7 have levels of radium above the NJDEP limits, the primary reliance will be on Wells #1 and #3. It is anticipated that either Wells #4, #5 and #7 will be activated during the peak summer month period in order to provide for the demand associated with the Town's water system users. On Monday, June 18, 2012, Town Officials met with NJDEP to initiate discussions on a schedule to bring Well #4 into compliance. This will result in a need to amend the existing Administrative Consent Order (ACO) since an extension of the compliance deadline will be warranted. Without an ACO, the Town would need to have Well #4 remediated with radium treatment by March 31, 2013 or penalties would be invoked. A proposed schedule will be provided to NJDEP to avoid any additional penalties associated with non-compliance.

Well #4 – Air Stripper:

In 1992, due to the presence of volatile organic compounds (VOC's), the Town was required to install an air stripper to remove the levels of VOC's to acceptable standards. Recently, the levels of VOC's have increased thus requiring the Town to prepare for a remedy before the thresholds are exceeded and enforcement action is warranted. The remedy may include a thorough cleaning of the equipment to assure it is achieving maximum filtration after being in operation for over 20 years. Also in the evaluation, is a determination of whether the range of contaminants experienced 20 years ago were anticipated in the design and a possibility exists that a modification to the existing stripper would be necessary. The schedule for the correction to the air stripper will be included in the proposed amended ACO.

Licensed Operator:

Another discussion that was covered at the meeting with NJDEP was a mandate imposed upon the Town to assure that the appropriate level of licensed operator is on staff to meet the NJDEP's classification of the Town's water system. At present, the applicable level of licensee is not on staff. A time frame for resolution to the licensed operator issue will also be included in the proposed amended ACO.

SEWER & WATER INFORMATION ITEMS:

8. **Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138):**
Construction on the water main portion of this project began on May 29, 2012 at the intersection of Pine Road and the White Horse Pike. At this writing, the main has been completely installed on Pine Road as well as along Union Road between Pine and Basin Roads. Also, the Basin Road installation is 900 completed from Union Road and by the night of the meeting all of Basin Road should be completed. Hydrant installation is ongoing along Pine Road and upon completion of same, the main will then be charged. Following the completion of Basin Road and connection to where the current main terminates (end of the Atlantic Care Property), the contractor will return to Union Road and proceed toward Oak Road, then down Oak to the White Horse Pike. Progress has been steady and without any major incidents at this point. We will be contacting the lateral contractor (Contract 2) to determine when they intend to begin along Pine Road.

9. **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.

10. **Boyer Avenue Land Application and Surface Water Permit Appeal (ARH #11-50058):**
As reported, the updated report was submitted to the Pinelands report back in November 2011. We again checked on the review status and the Pinelands is interested in meeting with the Town to discuss the report and their observations even though we still do not have a formal response. During the past month we issued a letter requesting the Pinelands to add more time to the ultimate deadline for resolution (October 2013) to match the number of months it is taking for the Town to receive a reply from their office. In short, the Pinelands believe it is premature to ask for any extension of time. We are awaiting dates for the proposed meeting.

PUBLIC WORKS INFORMATION ITEMS

11. **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):**
As authorized last meeting, we have prepared a modified drainage report for submission to the Pinelands staff for review. We will keep Council informed of their review and comments.

- We have also started to review the submission requirements for the NJDOT Discretionary Aid Application.
12. **Boyer Avenue Recreation Complex (ARH #11-75003):**
Contracts have been signed by the Contractor. As of this writing we are awaiting the Town to review and sign the Contracts. Upon the Town's execution of the Contract we will set up a pre-construction meeting. To date we have started communication with the Contractor, and look to have the project underway shortly, well in advance of the next meeting.
13. **2012 Roadway/Drainage Projects (ARH #11-40045 & 46):**
As authorized, our Survey Department has begun the fieldwork for the Grape Street and Pratt Street cluster of roads. Once the fieldwork is completed and a base plan plotted, we will be able to review the areas of concern, prepare a conceptual design plan and meet with the Public Works Committee to discuss options for design consideration. The initial base plans for Packard Street and Second Street have been plotted and we are in the process of reviewing the contents of same.
14. **Stockton College Parcel Property Remedial Investigation/ Action – Front Street (ARH #11-40042):**
With the Town's authorization or ARH's last proposal (dated April 2, 2012), and the work completed since, the Town is currently in compliance with all regulatory and mandatory timeframes established by NJDEP. The recent sampling conducted has eliminated several areas of concern (AOCs), while identifying contaminant issues in others. As requested by the Mayor, a more detailed update of these findings is being prepared and will be provided under separate cover for review.
15. **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.
16. **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.
17. **Municipal Aid Applications (ARH #11-40041): No Status Change**
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. |

18. **Berenato Property – Second Road (11-01083):**

ARH has recently been working with the Town Solicitor regarding the lawsuit/ mediation. This work included the review of an *Expert Report* (April 27, 2012) prepared by Trillium, and a letter (dated January 6, 2012) prepared by PT Consultants along with their associated cost estimate. Additionally, ARH completed a review of secondary source information and 'windshield' survey of the wetland areas on-site. Understanding that the Town needs to continue to review/ address this matter, ARH is available to provide further assistance to the Town, as requested.

SOLICITOR REPORT

1. Pulte/Traditions at Blueberry Ridge
2. Stockton Funding Ordinance (per audit) & construction update
3. Clustering Ordinance
4. Water Department Succession Plan
5. Jim Massara Contract

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize Solicitor to terminate Massara contract and prorate payment for year 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.

6. Rescue Squad
7. Royce Run (Mr. Barberio advised council on project)
8. Hangar Construction
9. Solar Project
10. Kramer Beverage Agreement & Letter of Credit
11. Rt. 54 Payment Bond
12. Patrick Joyce Resignation from Zoning Board effective June 30, 2012 (hold action until July meeting)
13. Fire Department Fee Schedule
14. Revaluation Update

MAYOR REPORT

Report on Chamber of Commerce and School Video showcasing Hammonton (Councilman Furgione advised council)

PWM/BUSINESS ADMINISTRATOR REPORT

1. Requesting authorization to hire Mark Rogers - Part Time Property Maintenance Field Rep. at \$10.00 per hour/30 hours a week/No benefits effective 7/2/12.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, to hire Mark Rogers, Field Rep/Prop Imp \$10.00 hr, 30 hr week eff 7/2/12, no benefits.

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. Standard and Poor's affirmed and maintained the Town's AA rating during a recent review.
3. Town recently refinanced 3.395 million in general obligation refunding bonds that saved the town net PV of \$200,409.84.
4. Seek approval to perform a directed search for a licensed water treatment operator (specified by DEP) and/or advertise for an RFP to provide the same services. Additionally, approval to advertise for an entry level municipal utility operator/repair with a degree in environmental science or other related field.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, authorize Business Administrator to seek applicants with a T3, W2 water operation per NJ DEP requirements.

A discussion of council was held concerning the NJ DEP requirements and the need for a T3, W2 operator at the Municipal Utility Department.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize advertise entry level position with degree for Municipal Utility Department.

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. Boyer Ave. Project –Freeholders accepted and authorized a Resolution to convert 915K in acquisition money to development. Phase 3 expansion will commence in July.
6. Frank Zuber completed several consultations with an authorized energy consultant to perform 100% grant funded energy efficiency improvements at the Public Works Garage, Firehouse 1 and Firehouse 2. The total improvements will be \$27,850 at no cost to the town.
7. The town received a donation of over \$3000 from the Hammonton Mothers Club toward the purchase of a new swing set at the Lake Park.
8. Bulky week is July 2 – July 6.
9. Brush week is July 9 – 13.
10. Reminder: Clerk’s Office Extended Hours Started June 7, 2012

Thursday – New Hours 9AM to 6 PM

TOWN CLERK REPORT

1. Approve Erin McGlauffin & Jeffrey Hart new members Fire Co. 1
2. Approve new member Eric Monzo and removal of Eddie Shepard Fire Co. 2
3. Approve Dean Humphries c.s. job audit title Chief Public Safety Telecommunicator eff 6/25/12
*This title does not require a salary increase.
4. Confirm hiring Joseph Campellone and Angel Ortiz P.T. Laborers \$10.00 hour, 28 hrs per week, no benefits (previously authorized to hire between meetings at 5/14/12 council meeting)

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, approve Town Clerk Report items 1-4.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione – Yes (recused on Lafayette Construction only)

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes (recused on DiDonato Bowling only)

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #019-2012 Appropriating \$4,100,000 Renovation of Property

Ordinance #019-2012

CAPITAL ORDINANCE APPROPRIATING \$4,100,000 FOR THE
RENOVATION OF PROPERTY IN AND BY THE TOWN OF HAMMONTON,
IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") hereby appropriates \$4,100,000 for the renovation of property known as 24-30 Front Street located in the Town with funds received from The Richard Stockton College of New Jersey.

Section 2. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

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

At the request of Mayor and Council, Mr. Frank Zuber, Town Accountant, approached the podium to advise in detail of the proper procedure for award of Stockton project and how the error occurred.

Councilman Pullia confirmed Stockton is still fully funding the project.

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 #020-2012 Amend Chapter 271 Vehicle & Traffic (Francis Street)

Ordinance #020-2012

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)
Francis Street	Between N. Third St. & Egg Harbor Rd.	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 Torrissi, seconded by Councilperson Pullia, the ordinance is taken up for first reading, passed 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

#R061-2012 Turn Unclaimed Bail Account Balances to Treasurer Account

#061-2012

WHEREAS, there is unclaimed bail funds remaining in the Municipal Court Bail Account in the amount of \$1,101.00; and

WHEREAS, Bowman and Company, Town Auditors, have recommended turning the unclaimed bail money over to the Treasurer's Account;

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Town of Hammonton to authorize the Municipal Court Administrator to turn over said money to the finance office.

#R062-2012 Renew Liquor Licenses

R#062-2012

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSES
BEGINNING JULY 1, 2012 AND EXPIRING JUNE 30, 2013

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

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND THE STATE OF NEW JERSEY that it is hereby specifically determined and declared that the following named persons and corporation, if any, be and they are hereby adjudged to be entitled to a license of the class hereinafter specified to sell alcoholic beverages at or on the premises as herein fixed and described to wit:

- | | |
|-----------------|--|
| 0113 33 011 005 | Hammonton Discount Liq & Bar
t/a Railroad Bar & Grill
Location: 18 Railroad Ave. |
| 0113 32 014 011 | Intermex Inc.
t/a Fiesta Mexicana Restaurant
Location: 327-12th St. |
| 0113 32 005 006 | GK of Palana Inc.
t/a Pike Wines & Liquors
Location: 111 N. White Horse Pike |
| 0113 33 024 006 | Café San Rocco, Inc.
t/a Rocco's Town House
Location: 21 N. Third St. |
| 0113 33 010 002 | Hammonton Joey Corp.
t/a Maplewood Inn
Location: 470 S. White Horse Pike |

0113 33 019 006 EJ's West End Inc.
t/a West End Grill
Location: 201 12th St.

0113 33 020 003 Hammonton Fortunas Inc.
t/a Illiano's Restaurant
Location: 705 - 12th St.

0113 33 007 003 Filomena Boccella
t/a The Olde Central
Location: 15 N. Egg Harbor Road

0113 33 028 005 Anthony Scott Parker
t/a Anthony S. Parker
Location: (pocket)

0113 33 001 006 Kerri Brooke Caterers Inc.
t/a Kerri Brooke Caterers Inc.
Location: 755 S. White Horse Pike

0113 33 003 012 Apple New Jersey LLC
t/a Applebees Neighborhood Grill
Location: 47 S White Horse Pk

0113 33 013 017 Trinity Vintners Investment Holdings
t/a Annata
Location: 216 Bellevue

0113 32 002 003 Tomar Assoc. Inc.
t/a Caldini's Fine Wine, Luqours & Deli
Location: 101 E. 15th St.

0113 32 012 006 Westwind Assoc Inc.
t/a Joe Canal's Discount Liquor
Location: 240 S. White Horse Pike

0113 33 021 003 Silver Coin Diner Inc.
t/a Silver Coin Diner
Location: 10 S. White Horse Pk.

0113 33 008 003 Frog Rock Golf & Country Club
t/a same
Location: 420 Boyer Ave.

License Number Distribution License

0113 44 015 010 Aryan Liquors
t/a Town Food & Liquor
Location: 333 S. Egg Harbor Rd.

0113 44 016 011 Superior Inc.
t/a Westside Discount Liquors
Location: 730 - 12th St. Pit Stop

License Number Club Licenses

0113 31 026 001 Guiseppe Garibaldi Lodge
t/a Sons of Italy
Location: 427 N. Third St.

0113 31 031 001 MB Taylor Lodge
t/a none
205 Central Avenue

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

BE IT FURTHER RESOLVED that the Mayor and Council approve liquor license renewal additions to this resolution contingent upon all legal requirements being met and approved by the Municipal Clerk.

#R063-2012 Refund Hangar Corporation of America \$2,151.46

RESOLUTION # 063-2012

RESOLUTION AUTHORIZING A REFUND
TO HANGAR CORPORATION OF AMERICA FROM THERE
PLANNING BOARD ESCROW ACCOUNT

WHEREAS, the planning board secretary was advised to refund a partial balance from escrow account PB1166, Hangar Corporation of America

WHEREAS, the amount to be refunded is \$2,151.46 leaving a balance of \$1,000.00 in the account

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 a refund be issued to Hangar Corporation of America, PO Box 142, Spring House, PA, 19477.

#R064-2012 Authorize Participation in HUD Home Investment Partnership Program

Resolution #064-2012

RESOLUTION AUTHORIZING PARTICIPATION IN
THE ATLANTIC COUNTY HOME CONSORTIUM PROGRAM
(HUD HOME INVESTMENT PARTNERSHIP PROGRAM)
FOR FY 2013, FY 2014 and FY 2015

WHEREAS, the Town of Hammonton desires to participate in HOME INVESTMENT PARTNERSHIP PROGRAM by joining Atlantic County HOME Consortium pursuant to the National Affordable Housing Act of 1990, in order to become eligible for certain Federal funds; and

WHEREAS, the County of Atlantic supports the Consortium and has agreed to assume responsibility for the activities of the consortium; and

WHEREAS, the Town of Hammonton is not among the 20 Atlantic County municipalities participating in the Atlantic County Urban County CDBG Program who consented through that agreement to participate in the HOME Consortium through FY 2015; and

WHEREAS, the County Executive is authorized to execute the agreement on behalf of those 20 municipalities participating in the Atlantic County Urban County; and

WHEREAS, the attached Consortium Agreement does not provide for the expenditure of any funds by the municipality; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Town of Hammonton as follows:

1. The Mayor and Clerk are hereby authorized and directed to execute the attached Consortium Agreement.
2. The Municipal Clerk is hereby directed to provide a certified copy of this Resolution to the County Executive.

#R065-2012 Approve Corrective Action Plan for 2011 Audit Findings

#R065-2012

TOWN OF HAMMONTON
CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2011.

WHEREAS, in accordance with the requirements of the Division of Local Government Services, at the completion of the audit, the local government unit shall prepare a Corrective Action Plan to address each audit finding in the current year audit report; and

WHEREAS, the Corrective Action Plan of the Town of Hammonton for the 2010 Report of Audit is as follows:

Finding No. 2011-1:

Condition:

A calculation of the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees was not obtained.

Recommendation: That the Town obtain the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees.

Corrective Action: This required disclosure is mandated by a new accounting disclosure standard adopted by the Governmental Accounting Standards Board (GASB) Statement No. 45. In New Jersey, municipalities and counties report and budget under regulatory accounting practices and therefore are not required to “book” OPEB future obligations. The Town carries its medical health insurance with the State Health Benefits Program (SHBP). The required disclosure, with which the Town complies, only references where information can be found on the SHBP and is not required to include any future obligation. The dental and vision insurance coverage is contracted through a private carrier and only represents less than 10% of the Town’s total annual SHBP obligation. The Chief Financial Officer and the Town Accountant have exhausted numerous possibilities to have these calculations prepared at no cost to the taxpayers without success. Therefore, since there is no financial impact on the Town for not obtaining the actuarially calculated obligation for its future cost of dental and vision insurance coverage for retired employees, the Town will continue to evaluate the cost/benefit of budgeting taxpayer funds in future budget years in order to solely comply with a financial disclosure requirement that has no financial impact on the Town’s current operations.

Finding No. 2011-2:

Condition:

Our audit of contracts and compliance with the Local Public Contracts Law revealed the following:

The Town awarded three contracts related to one project without providing an appropriation for payments on such contracts. Additionally, one of the contracts was in excess of the bid threshold but was not awarded with a formal resolution of the governing body, nor was a certificate of availability of funds prepared for the contract.

Recommendation: That the Local Public Contracts Law be complied with in all instances.

Corrective Action: There has been no financial effect on the Town as all payments made on the contracts were fully funded by a third party entity under a Memorandum of Understanding. The Town has introduced a Capital Ordinance to properly account for this project. Additionally, the Town has taken the findings and recommendation as a constructive recommendation and will exercise more care in the future in order to fully comply with the Local Public Contracts Law.

BE IT RESOLVED, that the Corrective Action Plan for the 2011 Report of Audit of the Town of Hammonton be approved by the Governing Body of the Town of Hammonton; and

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Division of Local Government Services.

#R066-2012 Governing Body Certification of Annual Audit

#R066 -2012

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the **Annual Report of Audit for the year 2011** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Hammonton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#R067-2012 Authorize Energy Generation Services

RESOLUTION # 67-2012
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, NJ
AUTHORIZING THE
PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE
ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Town of Hammonton has determined to move forward with the EMEX reverse Auction in order to procure electricity for the Town of Hammonton, and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001 c. 30) (the act) authorizes the purchase of energy generation services for public use through the use of an online auction service; and

WHEREAS, the Town of Hammonton will utilize the online auction services of EMEX, LLC an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, the auction will be considered pursuant to the Act; and be it

RESOLVED, that a certified copy of the within Resolution be forwarded by the Town Clerk to all associated parties.

#R068-2012 Approve Carnival Licenses

#R069-2012 Approve Special Emergency Appropriation Tax Map Preparation

**TOWN OF HAMMONTON
RESOLUTION NO. 069-2012**

RESOLUTION TO APPROVE A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-54 FOR THE PURPOSE OF PREPARATION OF AN APPROVED TAX MAP

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses to be incurred, by the preparation of an approved tax map and,

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for the Preparation of an Approved Tax Map in the total amount of \$45,000.
2. That the special emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$9,000.
3. No special emergency notes will not be issued for this special emergency.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Government Services; however, no approval is required from the Division.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, resolutions 61-69 are adopted.

Councilwoman Carpo questioned do court funds stay within the court?

Mayor DiDonato advised yes, all monies remain in the courts unless it becomes unclaimed.

Councilman Furgione requested Mr. Barberio, Business Administrator, to advise council on the energy generation services resolution.

Mr. Barberio advised Mayor and Council on the bidding procedure and anticipated cost savings to the Town of Hamonton as well as responded to questions posed by council.

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 – Old Forks Road

Mr. Santora gave his opinion on R&V, Town Engineer's, recommendation to maintain a wet basin at Pulte Project and posed additional questions to which Mayor and Council, and the Town Solicitor responded.

Mr. Santora handed out an opra request from Mrs. Josephine Santora . He stated any and all negotiations between the town and the bonding company should be public knowledge.

Mr. Howell advised we have a records custodian and this is not something that Mayor and Council should respond to. He advised Mayor and Council that 95% of the documents requested have been issued, however, there are certain documents that, in his opinion, should remain confidential at this time.

Ed Berner – Lahn Lane

Mr. Berner posed several questions to which Mayor and Council and the Business Administrator responded.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk