

6/27/11

Regular Meeting of Mayor and Council
Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
June 27, 2011 at 6:00 P.M. Executive Session
7:00 P.M. Public Session

Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

Barberio - Present
Esposito - Present
Gribbin - Present
Pullia - Present
Rodio - Present
Torrissi - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

#R066A-2011 Executive Session

#R 066A-2011

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. Personnel Highway Department
2. Government Workers Union (Radio) Contract Settlement
3. Government Workers Union (Highway) Contract Settlement
4. Town Clerk Contract Settlement
5. Police Chief Contract Settlement
6. Transfer of Cavuto vs. Town of Hammonton to Michael Malinsky Esq
7. Authorize termination of access rights at airport
8. COAH
9. Discussion of Administrative Consent Order re: Radium
10. Fire Department Leases
11. Fire Department Restructuring Ordinance
12. Payments to retirees – Directive from State of New Jersey
13. Jacobus OPRA request

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 Gribbin, seconded by Councilperson Barberio, enter into closed.

ROLL CALL

Councilpersons:

Barberio - Yes
Esposito - Yes

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

Mayor DiDonato declared the motion.

RESUME REGULAR MEETING-ROLL CALL

Councilpersons:
Barberio - Present
Esposito - Present
Gribbin - Present
Pullia - Present
Rodio - Present
Torrissi - Present
Mayor DiDonato - Present

PRESENT ALSO

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

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session of May 23, 2011
Regular Meeting of May 23, 2011

Motion by Councilperson Barberio, seconded by Councilperson Esposito, approve minutes as recorded by the Clerk.

ROLL CALL

Councilpersons:
Barberio - Yes
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Honor Former Council Members

Councilman Gribbin presented certificates honoring former Council Members as follows:

Dr. Matthew J. Campanella
Joseph Cacia
Rodney Cramer
Rock Colasurdo

2. Oath of Office – Joseph Maimone

The Clerk administered the official oath of office to Sergeant Joseph Maimone.

3. Proclamation Hammonton 2011 Artist of the Year Mr. Paul Morris

Councilman Gribbin presented the Artist of the Year Award to Mr. Paul Morris.

4. Thank You Graffiti Task Force - Presentation of Awards "Graffiti Clean Up"
Mr. Micky Doto and Mr. Robert DeRose presented awards to Chief Jones, Detective Zoyac, Detective Frederico and Sergeant Maimone for their help in the town wide graffiti cleanup project.

5. Thank You Eagle Scout – Park Bandstand

Councilman Barberio thanked Mario DiPaolo for his renovation and clean up of Hammonton Lake Park Bandstand which he performed for his Eagle Scout Project.

Mr. DiPaolo advised Mayor and Council of how he accomplished this project from fund raising and donations to the work performed and he thanked Mayor and Council for allowing him to accomplish this project.

6. Hearing Bond Ordinance 14-2011 (in full in 5/23/11 council minutes)

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

COMMITTEE REPORTS

Administration -Councilperson Barberio

Report on Adm Comm Meeting held June 2, 2011 and June 23, 2011
Defer to action items (contract settlements) on agenda this evening

Business & Industry-Councilperson Gribbin

June 22 revitalization bd mtg success opening night farmers market every Friday from 4-8 until 9/9
Congratulate Mr. Runfalo, Mr. PJ Pullia and Ms. Michelle Semanic for June 27 Blueberry festival success
Create WHP Development Committee (Committee to include himself, Joe Pantalone, Charles Kramer, Kelly Raso, Atlanticare Representative, and Councilman Rodio.)

Education-Councilperson Gribbin

Congratulated graduates

Public Works & Transportation-Councilperson Rodio

Community Development Block Grant \$260,000 may become available (defer to engineer report)
Release of bonds (defer to engineer report)
County considering 4 way stop Old Forks Road and Third Street
County started drainage work on Central Avenue
Thanked Lance Schiernbeck and men at highway department for hard work during spring cleanup
Reminder: Bulky pickup July 4-8, Brush pickup July 11-15

Law & Order-Mayor DiDonato

Report on Law & Order Committee Meeting with Chief Jones
Report on letter by Mayor, Chief and Mr. Giraldo, School Board President requesting tree removal on 4th & Fairview

Quality of Life – Councilperson Esposito

Met on site for inspection and approval of performance bond releases

Water & Sewer – Councilperson Pullia

Reminder water restrictions listed below from Ordinance 16-2009:

1. Check regularly to make sure all pipes, faucets, toilets and other systems and equipment are free of leaks and drips.
2. Water lawn no more frequently than every other day and limit irrigation time to 30 minutes within each zone. (See Section 10 below for specific restrictions during the months of June, July, August and September).
3. Install rain sensor gauges to lawn sprinkler systems to prevent irrigation during rain events.
4. Install drip irrigation where possible within landscaped areas to avoid excessive water use.
5. Install low volume toilets.
6. Install low flow shower heads.
7. All faucets should be equipped with aerators. Aerator screens should be cleaned on a regular basis.
8. Use water intermittently when brushing teeth and washing dishes and utensils.
9. Run dishwashers and washing machines only with full loads.
10. During the months of June, July, August and September, the following lawn irrigation practices (manual and automatic) shall apply:

- a. House numbers ending in an even number: lawns may be irrigated on Monday, Wednesday and Friday.
- b. House numbers ending in an odd number: lawns may be irrigated on Tuesday, Thursday and Saturday.
- c. Lawn irrigation systems shall not be used on Sundays.
- d. In the event of a rain event producing precipitation in excess of 0.75 inches within a 24 hour period preceding the designated irrigation day, lawn irrigation systems shall not be utilized.
- e. Installation of all new automatic lawn irrigation systems must include the installation of a rain sensor gauge in order to conserve public water.
- f. Lawn irrigation systems should be periodically checked to ensure that excess watering does not result in the flow of water into the street, gutterline or onto adjacent properties.

Councilman Pullia report continued here

ACO on agenda this evening (regarding treatment system for affected well)

Mayor requested Deputy Mayor Pullia to advise the public on the levels of radium.

Deputy Mayor Pullia advised that the radium levels are just slightly over and there is no need for alarm. Each municipality with their own water treatment facility is facing radium problems. Also, a second flyer advising on the details will be placed in the water bill mailings.

Councilman Torrissi questioned do we have the levels here this evening?

Councilman Pullia advised not yet, they received a phone call alerting us of same from the water testing company. However, when he receives the typed results he will forward them onto council.

Authorize Solicitor Amend Water Tie In Ordinance

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, authorize Solicitor to prepare amendments to water hook up ordinance to allow those with contaminated wells wishing to tie into water system to be entitled to a waiver of tie in fee.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

Joe Pantalone working on service water discharge permit for DEP

Sewer grinder pump up and running at PR Civil Assoc.

Letter of Intent Received for State Police to House Medical Helicopter at Hammonton Airport

CHA Assoc. have announced they will be purchasing former Kessler Hospital to make a medical mall

ENGINEER REPORT

SEWER & WATER ACTION ITEMS

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

In discussion with the PWTC and the Solicitor, additional time will be required to finalize the modifications to the mandatory sanitary sewer connection Ordinance. Since the timeframe for mandatory sewer connection for the properties involved in the Moss Mill Road, White Horse Pike and Boyer Avenue utility installation project will expire on July 1, 2011, Council must act to grant an additional time extension for the mandatory connection standard.

Solicitor will prepare ordinance to clarify who must tie into water as well as addressing other provisions.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, authorize extension of time for mandatory sanitary sewer tie-in for the properties located along the Moss Mill Road, White Horse Pike and Boyer Avenue utility installation project route from July 1, 2011 to January 1, 2012.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Deputy Mayor Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Recused

Deputy Mayor Pullia declared the motion.

2. Capital Bank – Rt. 54 Utility Extension Escrow (ARH# 11-30145)

In conjunction with the utility installation work along Rt. 54, Capital Bank had requested that both the water main and the sanitary sewer mains be extended and new utility service lines, including a fire service line, be provided to their renovated building. To that end, they had posted \$30,000 in an interest bearing account with the Town to cover their estimated fair share of the cost for said utility extensions. There is presently \$30,012.30 in this ACCUTRK account #822. They also posted \$4,200 in the water and sewer escrow account# WSE-74 to cover the cost for engineering, inspection and administrative costs, associated with their request. The project has been completed and as-built quantities obtained. The final construction costs for the project are \$27,627.00. The final engineering, inspection and administrative costs will be \$4,850.00. The total amount posted by Capital Bank for this project is \$34,212.30 and the total expenses for the project are \$32,477.00. In order to closeout the two escrow accounts established by Capital Bank, we are requesting the following for Council's consideration.

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, authorize reimbursement of unexpended escrow funds to Capital Bank in the amount of \$1,735.30.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Deputy Mayor Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Recused

Deputy Mayor Pullia declared the motion.

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

Due to the Town experiencing exceedances to the levels of gross alpha and radium in its public drinking water supply over the past several years, an informative session to advise the residents of the situation was conducted at the last Council meeting. It was the intent to have the presentation also serve as the public hearing to comply with the requirements bestowed upon the Town as it relates to the execution of an Administrative Consent Order (ACO). At that time, the ACO was not approved by Council for execution since the Town was awaiting test results to determine whether the levels would have achieved a compliance status.

Unfortunately, the results of the latest testing that were received following the last meeting were not favorable. Consequently, the Town has no choice but to implement remediation measures on Wells #5 and #7. Due to the need to initiate rehabilitation proceedings, the Town must now enter into the ACO with NJDEP. The terms of the ACO were essentially agreed upon prior to the last meeting and have been modified slightly to the consent of the NJDEP and the PWTC. It is the PWTC's and its professionals' recommendation to Council to authorize the Mayor to execute the ACO. Essentially, the ACO places definitive timeframes on the planning, design, permitting, construction and operation of the facilities that will abate the radium situation. Fortunately, the presentation that was conducted at the last Council meeting was permitted to serve as the public hearing on this matter since it was duly advertised as such and by NJDEP standards more than adequately covered the issues that needed to be conveyed to the public. The ACO schedule presents the following timeframes:

- 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 September 1, 2011;
- b) Begin Construction of treatment facilities: no later than December 1, 2011;
- c) Complete construction and commence operation of treatment facilities: no later than December 1, 2012;
- d) Comply with Gross Alpha and Radium 226 & 228 MCLs: no later than January 1, 2013.

During the course of the month, the PWTC has met with our staff to review the options that are available with regard to radium removal processes. There are limited number of choices and each have their respective advantages and disadvantages. Therefore, the first step is to perform an analysis on the options available which will involve a capital cost calculation along with the operation and maintenance elements since radium removal is a costly maintenance item. To assist the Town on evaluating the most cost effective measure while considering the environmental concerns associated with each, ARH must perform the cost analysis. At the conclusion of the cost analysis, the PWTC will be asked to decide on the methodology that best suits its situation (financial and operational). In so doing, ARH will have for Council a proposal outlining our cost for the services associated for this first step. Following the decision on the method to be employed, a subsequent proposal will be provided for the design and permitting of the selected option.

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

1. Authorize the appropriate Town official to execute ACO and forward to the NJDEP.
2. Authorize ARH to perform the first step action based on their proposal before Mayor and Council.
3. Authorize payment of \$2000.00 DEP fine for non reporting/non publication.

Councilman Torrissi questioned source of funding?

Councilman Pullia replied they are not certain of cost as of this time, however, once we know what treatment system we must go with, we will be able to better anticipate costs of project. Additionally, at that time we may have the monies available or we may need to bond same.

Mayor stated there may be a grant funding source for this as well.

Councilman Gribbin stated obviously this is an unwanted and unavoidable situation and fortunately we have a large surplus in water/sewer OE and we need to take the necessary steps to assure safe drinking water for our public.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

PUBLIC WORKS ACTION ITEMS

4. **Community Development Block Grant (CDBG) Funding (P2011.0277)**

As requested by the Mayor, we have contacted personnel from the Atlantic County Improvement Authority (ACIA) about possible project funding through their Community Development Block Grant (CDBG) program. There is \$261,712.00 available to the Town to complete roadway improvement work within specific sections of the Town. We were provided with a potential list of roadways by the Mayor. We will be providing the Mayor and Council with a proposal to complete the required cost estimates, project specifications and bid documents for the program. The CDBG funds can be used to pay for project construction costs only. Any Engineering, Construction Management, Inspection, Administrative and Legal costs are non-reimbursable costs to the Town.

Motion by Councilperson Rodio, seconded by Councilperson Torrissi, authorize a purchase order to ARH in the amount of \$6200.00 for proposal # P2011.0277.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

5. **Williams Communication Site Plan Performance Bond (11-20162)**

A request was made by Williams Communications or Level 3 Communications for a release of an old project Performance Bond #6075454 written by SAFECO Insurance Company of America related to the above noted project. They indicated that a replacement bond #41196587 dated 3/18/2008 from Platte River Insurance Company (copy attached) totaling \$36, 600.00 was provided to the Town. They noted that both bonds are still in place and are requesting a release of the old SAFECO Insurance Company Bond# 6075454. The Quality of Life Committee visited the site back in late May and made a recommendation that a few minor site maintenance items be completed. This list was forwarded to Williams Communications representatives for action.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, authorize release of the original project Performance Bond #6075454 written by SAFECO Insurance Company of America subject to the following conditions:

1. The Platte River Insurance Company Bond #41196587 shall remain in effect.
2. The minor site maintenance items be completed as recommended by the PWTC.
3. Any bills associated with the project be satisfied as applicable.
4. The Town Clerk be authorized to direct a letter to Williams Communications or Level 3 Communications stipulating the Council's action.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

6. Bi-Investors Site Plan, Performance Bond Release, Block 4013, Lot 1, 8th Street/Reading Avenue (11-20164)

The Quality of Life Committee visited the site on Saturday June 18, 2011 to review the site improvements. The Performance Bond #6112499, dated April 6, 2001 has been in effect since 2001. The site improvements appear to have been satisfactorily completed in accordance with the design plans. As recommended in the past, when all site improvements have been satisfactorily completed for a period in excess of two (2) years the requirement to supply a Maintenance Bond for the site improvements has been waived. Therefore, in conjunction with the owners request for a Performance Bond release and as discussed with the Quality of Life Committee, we would recommend Council consider the following action.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, authorize release of the project Performance Bond #6112499, dated 4/6/01, as provided by SAFECO Insurance Co. of America and waive the requirement for the posting of a Maintenance Bond subject to compliance with the following conditions:

- Provide a deed of dedication to the Town for the triangular portion of the property at the 8th Street/Reading Avenue intersection so the Town could file same in the County Clerk's office.
- Satisfy payment on any outstanding bills by replenishing the review and inspection escrow account with the Town if required.
- Should any monies remain in the escrow account once all bills are satisfied, the owner shall be entitled to a reimbursement of any remaining monies.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

7. **Dunkin Donuts Site Plan, CO Request and Performance Bond Release, Block 3604, Lot 9, White Horse Pike (11-10017)**

The Quality of Life Committee visited the site on Saturday, June 18th to inspect the site improvements and to review the request for issuance of a CO and release of the project Performance Bonds. The majority of the site improvements appear to be complete or will be completed the first part of the week of June 21st with the exception of the height restriction bar for vehicles entering the drive-thru lane. We have received an e-mail from Dunkin Brands (copy attached) indicating that the preferred height restriction bar will be installed within 3 weeks. There are two (2) separate Performance Bonds in place for this project, one for the onsite improvements and one for the offsite sanitary sewer lateral installation. The site is scheduled to open to the public on Wednesday, June 23rd with an official Grand Opening on Saturday, June 25th. At this time, we would recommend that Council consider the following actions:

Motion by Councilperson Gribbin, seconded by Councilperson Torrissi,

1. Release of the project Letter of Credit #10008949108 issued January 26, 2011 by Susquehanna Bank in the amount of \$57,200 for Packard Enterprises, LLC for the offsite sanitary sewer installation subject to the following conditions:
 - a. Posting of a Maintenance Bond in the amount of 15% of the original Letter of Credit or \$8,580 which will remain in effect for a period of two (2) years from July 1, 2011.
 - b. Satisfy any outstanding bills, if applicable.
2. Release of Project Performance Bond #0147463 dated June 9, 2010 provided by Berkley Regional Insurance Company in the amount of \$93,500 subject to the following conditions:
 - a. Posting of a Maintenance Bond in the amount of 15% of the original bond amount or \$14,025 which will remain in effect for a period of two (2) years from July 1, 2011.
 - b. Installation of the "Height Restriction Bar" within the drive thru aisle as per the design plans and as further detailed in the e-mail from Dunkin Brands.
 - c. Satisfy any outstanding bills, if applicable.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

SEWER & WATER INFORMATIONAL ITEMS:

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

As we have previously reported, ARH continues to provide information to the funding agencies in pursuit of pre-award approval. We originally anticipated achieving pre-award approval during the latter part of June, but the radium issue has taken precedent.

We will keep Council apprised of our progress towards achieving Pre-Award approval.

9. **John Bee – COAH Project (ARH # 11-20189.03)**

At the request of the Court Master and after discussions with the Town Solicitor, we have drafted a letter regarding the supply of public water and sanitary sewer for the above noted project. The Solicitor is in the process of reviewing same. We will also review the letter with the PWTC prior to forwarding same to Mary Beth Lonergan.

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

As authorized by Council, our survey crew has completed the elevations and general locations of the portion of Old Forks Road and Leah Court in the area of the Blueberry Ridge Development. The information has been plotted and we will be transferring the data to a base plan. Once that is completed, we will review the options for the supply of sanitary sewer and public water to the properties along Old Forks Road extending between Lahn Lane and the storm sewer pipe crossing the roadway adjacent to the Puerto Rican Civic Association parcel. We will review same with the PWTC before bringing the conceptual design plans to full Council.

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

As previously reported, work continues on the contents of the proposals that were authorized to Omni and ARH.

Please review the following status:

Task #1: Assist Omni Environmental who will take the lead on charting and analyzing the trench loading activity.

Omni has compiled data from its last report to the Pinelands and will be presenting the documentation in narrative and graphic form. This will include data on max loading and the drip irrigation results to be extrapolated to the balance of the site. The report is expected to be filed shortly.

Task #2: Assist Omni Environmental who will take the lead on charting and analyzing the drip irrigation trial activity.

See response to Task 1.

Task #6: Respond to Pinelands request for submission of an implementation plan by October 1, 2013.

See response to Task 1.

Task #7: Water Diversion Permit activity.

- At an upcoming PWTC meeting we will review with them the recommended changes to the Water Conservation Ordinance and review the progress made on rate changes. Also with the latest issue involving the presence of radium in our wells. We hope to have a draft revision to the current conservation Ordinance incorporating the NJDEP recommendations by next meeting.

Task #7A: GIS evaluation consisting of a data overlay from Edmunds and Associates of all accounts on the system presented on a map.

Work is ongoing on this task.

Task #8: Facilitate the placement of the drip irrigation layout to the balance of the wooded area.

The Pinelands submission and TWA approval process is nearly complete and has relevance to the corresponding and concurrent Boyer Avenue Recreation project.

Task #8A: Drip irrigation TWA submission.

See response to Task 8.

The other tasks have either not been authorized at this time or it is not yet time for them to be scheduled.

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

The Contractor has completed a majority of the remaining punch list items. We are reviewing our records with regards to final quantities and are waiting for the Contractor to submit his invoice for review before we proceed to discussions related to closing out this contract.

PUBLIC WORKS INFORMATION ITEMS

13. Al & Rich's Site Plan, Laundry Mat TCO (11-10013):

The Quality of Life Committee met on Saturday, June 18 at the above noted site to review a request for a Temporary Certificate of Occupancy associated with the opening of their new laundry mat facility located on the White Horse Pike. The Committee reviewed the site improvements completed thus far and recommended the issuance of the Temporary Certificate of Occupancy subject to compliance with the following conditions:

- The two (2) parking lot lights adjacent to the new laundry mat facility be installed by Friday, June 24th.
- The fencing around the rear stormwater recharge basin be installed by Friday, July 8th.
- The project Performance Bond shall remain in effect until the overall site improvements are completed. No reduction to the dollar amount posted for the project Performance Bond is requested at this time.

14. Central Avenue Drainage (ARH #11-0115):

The County has begun the installation of the inlets along Central Avenue within the first block between Bellevue Avenue and Vine Street. The work should be completed on the first inlet by the time Council meets. There was a slight modification to the design plans to accommodate the exact location of the storm sewer pipe and to avoid conflict with the existing gas main which runs parallel to the roadway and storm sewer. We will keep Council updated on when the second inlet will be installed. The County will also monitor the effects of the first installation.

15. Boyer Avenue Recreation Complex (11-75003):

Permitting Issues

Atlantic County Site Plan Approval - Our office submitted on May 23, 2011 related to the creation of a new access on Moss Mill Road. We are currently in the process of addressing the County's comments and will be re-submitting for approval.

Atlantic County Road Opening - Condition upon the Atlantic County Site Plan Approval, we will need to obtain a County Road Opening Permit for this project. Unfortunately we cannot apply for this approval until the site plan has been approved by the County.

Cape Atlantic SCD - Our office has prepared the permit package and we will be submitting for this approval.

Pinelands Site Plan Approval - This was previously obtained on May 8, 2009.

NJDEP TWA - Our office recently received the necessary data to complete the required Treatment Works Approval Permit application for the proposed drip irrigation. We will be completing these permits and submitting for approval. Concurrently we will be required to seek permission from the Pinelands Commission to install the drip irrigation. These issues will be handled collectively.

Project Funding & Scheduling Issues

Green Acres - Our office submitted on June 1, 2011. After submitting we learned a revised Preliminary Assessment Report would be needed which we are in the process of completing. As soon as the revised report is complete this will be submitted for review and approval.

There were also some minor revisions to the ROSI as requested by the Green Acres Staff. After further discussion with the Mayor and Council representatives, we will be revisiting this topic with the Green Acres staff as particularly related to the existing 11th Street site. We will keep the PWTC and applicable Council representatives informed as to the results of said discussions.

Please note items that we have prepared and are in the process of preparing for Green Acres are currently not part of our contracted work. We will be proceeding with these tasks, in an effort to keep the \$1.05 million grant available. However we will be providing a proposal to cover our cost for this work.

Project Schedule - It was originally our intention to advertise for bid by the end of June. However, the trial data was received for the drip irrigation on June 20, 2011. Without that information we were unable to submit to NJDEP or Pinelands seeking approval for the drip irrigation installation. Now that we have this data, it is our intention to submit all remaining applications by the end of June. Barring any unforeseen circumstances, we will be prepared to advertise to bid by the end of July or early August. The following tasks will be completed:

- Submission of all permit applications
- Preparation of bidding documents
- Pre-Bid approval from the Green Acres Program

As part of the Boyer Avenue Pinelands Compliance Proposal, ARH was to connect with Lee-Rain regarding the type of irrigation system to be ultimately installed on the recreation fields to be a source of turf maintenance and achieve maximum percolation for the land disposal activity. Once the concept was developed for purposes of Pinelands and TWA approval, a detailed irrigation system design would be pursued under a separate proposal. In order to accomplish the schedule outlined above, ARH will be providing a design build approach to the irrigation system. It is our intentions to submit a Final Design & CM proposal which will include the costs being incurred that are not a part of our original contract.

16. Atlantic County Recreation and Open Space Funds (11-01070):

As stipulated in the letter to the County late last year, the Town must proceed on completing the property appraisals, survey, legal descriptions, and environmental assessment, etc. for the properties they wish to purchase. The County has provided the Town with a grant to assist in this endeavor for purchase. Funds to complete the required tasks noted above must be established in the 2011 municipal budget. We will await Council's direction and be available to discuss this project with the PWTC and Solicitor.

17. Egg Harbor Road Parking Lot (ARH #11-40029):

We have received an approval from the Pinelands Commission for the proposed parking lot construction. Submission of the design plans have now been forwarded to Atlantic County Planning Board and the Cape Atlantic Soils Conservation District for their review. We have also provided information to Jim Donio to assist in the application being made for possible project funding.

18. Stockton College Parcel Property Remedial Investigation Work plan – Front Street (ARH #10-0477):

We have been working with the Solicitor to try and obtain the necessary site information from Wallace Realty and their former Site Environmental Consultant (React Environmental) but have not received a response to date. This information is critical to the site evaluation, onsite soil contamination, excavation, disposal, etc. and must be supplied in order for the authorized work to move forward. The Solicitor will also be contacting the NJDEP regarding their request to collect prior Environmental Oversight Review fees which should be addressed by the prior owner or realtor.

19. Fourth Street Reconstruction (ARH #11-40034):

The contractor has been onsite and completed a majority of the outstanding punch list items. Once complete, we will begin the close out of this contract.

SOLICITOR REPORT

1. Keith Bonchi Esq bill

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, authorize payment to Keith Bonchi in the amount of \$241.64 from Legal OE.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

2. No Parking Farmers Market Ordinance (under new business)
3. COAH to be heard at Joint Meeting of Planning/Zoning/Council on July 6, 2011
4. Authorize Mayor sign ACO (taken up under engineer report)
5. Fire Dept Leases to allow them to take advantage of energy credits

Motion by Councilperson Pullia, seconded by Councilperson Esposito, authorize lease with Fire Company #2.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

6. Old Forks & Fairview 4 way stop (also meeting to be arranged to update corrective actions at Traditions at Blueberry Ridge)

Mayor DiDonato questioned if R&V has been on site to perform soil boring tests?

Solicitor responded they will be out in early July.

7. Stockton (old elevator in building that is not used-State inspection fee \$400-must get a decommission to stop State inspections)

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, authorize Mayor DiDonato to sign environmental agreement to be funded by Stockton.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

8. Royce Run Update: authorization to pursue legal action in the form of filing a complaint with Superior Court.

Councilman Gribbin questioned if the builder is represented by Counsel?

Solicitor responded they had legal representation but are no longer represented by the attorney he had been negotiating with.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize Solicitor to pursue legal action with the Town seeking reimbursement of attorney fees.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

9. Authorize Mayor sign endorsement aerobatic program at airport.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, authorize Mayor DiDonato to sign endorsement.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

10. Hold Harmless Agreement Retirees – Based on Pension Ruling Fact Sheet 29 Found By Auditor

11. Junior Firefighters Ordinance Amendment
12. Waiver of water connection fees for properties with contaminated wells.(discussed earlier)
13. PR Civic Assoc. completion of sewer line(discussed earlier)
14. Parents Code of Conduct/Park Commission (already approved by Park Commission)
15. Brown & Keener: approve additional funding & contract amendment

Motion by Councilperson Esposito, seconded by Councilperson Rodio, approve additional funding not to exceed \$28,000.00 and contract amendment.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

16. Appoint Michael Malinsky Esq. – Cavuto vs. Zoning Board (Allen Littlefield appt to Superior Court Judge can no longer handle case)

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, appoint Michael Malinsky as attorney to handle Cavuto vs. Hammonton Zoning Board due to resignation of Allen Littlefield.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

17. Authorize termination of access rights airport

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize Solicitor to advise if negotiations are not resolved prior to next meeting that Solicitor may prepare termination of access rights airport in accordance with FAA rules and regulations.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

- 18. Fire Department Restructuring Ordinance
- 19. Commended those involved in Red White and Blueberry Festival

MAYOR REPORT

Mayor Appointment – PlanBd/Bd of Ed Member – 3 year term eff 4/30/11-Joseph Giraldo

TOWN CLERK REPORT

- 1. Approve Gov't Workers Union (Radio) 2010-2013 Contract
- 2. Approve Gov't Workers Union (Highway) 2010-2013 Contract
- 3. Approve Town Clerk 2011-2013 Contract
- 4. Approve Police Chief 2011-2013 Contract
- 5. Accept Resignation Santo Ciralo, Comm Operator eff 7/1/11
- 6. Authorize Clerk to advertise for part time comm operator position
- 7. Authorize Refund Following Escrow Balances per approval of Bd Sec & Engineer:
 - Thomas DiGuglielmo, \$590.00
 - Tony & Deborah Burton \$650.00
 - Jim Scaffidi \$630.00
 - Kathleen Ashton \$115.00

Motion by Councilperson Barberio, seconded by Councilperson Esposito, approve town clerk report items 1 through 7.

ROLL CALL

Councilpersons:

- Barberio - Yes
- Esposito - Yes
- Gribbin - Yes
- Pullia - Yes
- Rodio - Yes
- Torrissi - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, approve June bill list and purchase orders.

ROLL CALL

Councilpersons:

- Barberio – Yes (recused on Triad only)
- Esposito - Yes
- Gribbin - Yes
- Pullia - Yes
- Rodio - Yes
- Torrissi - Yes
- Mayor DiDonato – Yes (recused on DiDonato bowling only)

Mayor DiDonato declared the motion.

NEW BUSINESS-ORDINANCES

Ordinance # 015-2011 Prohibit Parking Farmers Market

AN ORDINANCE
PROHIBITING PARKING AT LOCATION OF DOWNTOWN FARMERS MARKET

WHEREAS, MainStreet Hammonton and the Hammonton Revitalization Corporation sponsor a Farmers Market in the late spring and summer months of the year; and

WHEREAS, the current location of the Farmers Market on Central Avenue (between Bellevue Avenue and Vine Street) requires the closure of Central Avenue at that location; and

WHEREAS, it shall be necessary to prevent motor vehicles from parking at the location of the Farmers Market and thereby protect the health, safety and welfare of those participating in same.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AS FOLLOWS:

1. The portion of Central Avenue situated between Bellevue Avenue and Vine Street shall be a "No Parking Zone" between the hours of 2:00 pm and 9:00 pm on those days when the Farmers Market is taking place; and

IT IS FURTHER ORDAINED THAT:

2. MainStreet Hammonton and the Hammonton Revitalization Corporation shall, at their expense, procure and cooperate with the Hammonton Highway Department in the installation of appropriate signage notifying the public of the aforesaid parking restrictions.

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

Councilman Barberio questioned will the sign reflecting no parking zone specify during farmers market only?

Solicitor advised the police will raise sign prior to farmers market each year and remove directly after.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

Ordinance #016-2011 Approval of Junior Firefighters Auxiliary Program

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING ARTICLE III, CHAPTER 25-13 OF THE CODE OF THE TOWN OF HAMMONTON IN ORDER TO
AUTHORIZE CREATION OF A JUNIOR FIREFIGHTERS' AUXILIARY

WHEREAS, Governor Christie has signed into law A-2032 which is designed to amend N.J.S.A 40A-14-98 insofar as it pertains to permitting the establishment of a Junior Firefighter's Auxiliary which shall allow individuals aged sixteen (16) years and older to participate in certain support duties at fire sites; and

WHEREAS, the legislation in question requires that the municipality adopt regulations governing said program; and

WHEREAS, Mayor and Council of the Town of Hammonton believe that establishment of a Junior Firefighter's Auxiliary will provide valuable assistance to the full-fledged members as they perform their duties at fire scenes, as well as provide the appropriate training for future members of the fire department; and

WHEREAS, the governing body has been advised that the Fire Departments of the Town of Hammonton are interested in establishing such a program; and

WHEREAS, there are provisions in the current Ordinance (Chapter 25-13) which addressed issues pertaining to junior firefighters and, in light of the adoption of the new legislation referenced above, it is necessary to amend the Ordinance to make it compliant with same.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Town of Hammonton in the County of Atlantic, New Jersey, that the Code of the Town of Hammonton, County of Atlantic, New Jersey, is hereby amended as follows:

§25-13 **Limitations.**

- A. (CHANGE)-DELETE IN ITS ENTIRETY.
- B. (CHANGE)-DELETE IN ITS ENTIRETY.
- C. (CHANGE)-DELETE IN ITS ENTIRETY.
- D. (CHANGE)-DELETE IN ITS ENTIRETY.

(NEW) Class I- Junior Firefighter's Auxiliary- Individuals aged sixteen (16) and seventeen (17) shall be permitted to participate as a member of the Junior Firefighters' Auxiliary, conditioned upon compliance with the following rules:

- a. That the regular fire department provides adequate training to those Class I members.
- b. While the Class I members of the Junior Firefighter's Auxiliary shall be permitted to be present at the fire scene, they shall be limited to their duties in providing support for the others fighting the fire and in providing services of a non-hazardous nature.
- c. At the scene of any fire, the Class I Junior Firefighter shall be properly supervised by a full-fledged department member.
- d. No Class I Junior Firefighter may oil, wipe or clean machinery in motion.
- e. Prior to commencement of any Class I Junior Firefighter's activities, a written authorization on a form to be prepared by the Clerk's Office shall clearly indicate that the parent and/or guardian consents to their child's participation the activities in question.
- f. The Town of Hammonton shall provide insurance coverage to the Junior Firefighter's Auxiliary in the same method and manner as it provides insurance coverage to full-fledged members.

(NEW) Class II- Junior Firefighter's Auxiliary- Individuals aged fourteen (14) and fifteen (15) shall be permitted to participate as a member of the Junior Firefighters' Auxiliary, conditioned upon compliance with the following rules:

- a. They shall be permitted to attend meetings;
- b. They shall be permitted to receive instruction;

- c. They shall be permitted to participate in training that does not involve fire, smoke, toxic or noxious gas or hazardous materials or substances;
- d. No Class II Junior Firefighter may oil, wipe or clean machinery in motion; and
- e. While they are performing their observational activities, they shall remain under the supervision of a full-fledged member.

The respective fire departments of the Town of Hammonton are hereby authorized to add such additional requirements, subject to Mayor and Council approval, as it deems necessary for the protection, training and retention of its Junior Firefighter's Auxiliary members.

This Ordinance shall take effect immediately upon due passage and publication according to law.

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

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

RESOLUTIONS

#R067-2011 Renew Liquor Licenses

R# 67 -2011

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSES
BEGINNING JULY 1, 2011 AND EXPIRING JUNE 30, 2012

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; and

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:

<u>License Number</u>	<u>Consumption License</u>
0113 32 014 011	Intermex Inc. t/a Fiesta Mexicana Restaurant

Location: 327-12th St.

- 0113 33 011 005 Hammonton Discount Liq & Bar
t/a Railroad Bar & Grill
Location: 18 Railroad Ave.
- 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 E.J.'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 33 001 006 Kerri Brooke Caterers Inc.
t/a Kerri Brooke Caterers Inc.
Location: 755 S. White Horse Pike
- 0113 33 007 003 Filomena Bocella
t/a The Olde Central
Location: 19 N. Egg Harbor Road
- 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 Inv. Holdings
T/a Annata
Location: 216 Bellevue Ave.

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: Rt 30 & 206

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

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.

#R068-2011 Approve Carnival Licenses

#R069-2011 Approve Communication Operators Salaries

#R 069 - 2011

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of certain officials and employees 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>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2010 TOTAL</u>	<u>NOTATIONS</u>
Teresa Bradbury	Pub Safety Telec.	48,835.00	longevity grandfathered
Dean Humphries	Sr.Pub Safety Telec	48,435.00	long.grandfathered Senior effec 9/1/10
Santo Ciraolo	Pub Safety Telec.	48,435.00	longevity grandfathered
Paul Sacco	Pub Safety Telec.	48,235.00	
Linda Martinelli	Pub Safety Telec.	34,035.00	

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2011 TOTAL</u>	<u>NOTATIONS</u>
Teresa Bradbury	Pub Safety Telec.	49,035.00	longevity grandfathered
Dean Humphries	Sr. Pub Safety Telec.	48,635.00	longevity grandfathered
Santo Ciraolo	Pub Safety Telec.	48,635.00	longevity grandfathered
Paul Sacco	Pub Safety Telec.	48,535.00	
Linda Martinelli	Pub Safety Telec.	34,335.00	

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2012 TOTAL</u>	<u>NOTATIONS</u>
Teresa Bradbury	Pub Safety Telec.	50,213.00	longevity grandfathered
Dean Humphries	Sr.Pub Safety Telec.	49,813.00	longevity grandfathered
Santo Ciraolo	Pub Safety Telec.	49,813.00	longevity grandfathered
Paul Sacco	Pub Safety Telec.	49,813.00	
Linda Martinelli	Pub Safety Telec.	35,288.00	

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2013 TOTAL</u>	<u>NOTATIONS</u>
Teresa Bradbury	Pub Safety Telec	51,421.00	longevity grandfathered
Dean Humphries	Sr. Pub Safety Telec.	52,021.00	longevity grandfathered
Santo Ciraolo	Pub Safety Telec.	51,021.00	longevity grandfathered
Paul Sacco	Pub Safety Telec.	51,021.00	longevity grandfathered
Linda Martinelli	Pub Safety Telec.	36,263.00	

#R070-2011 Accept Report of 2010 Audit

#R 070 -2011

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 2010** 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.

6/27/11

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.

#R071-2011 Amend 2011 Budget to Receive NJ Clean Community Grant

#R 71-2011

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received **\$28,224.58 from NJ Clean Communities**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2011 Budget in the sum of \$28,224.58** which is now available as a revenue from:

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

NJ Clean Communities

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

#R072-2011 Approve Change Orders for Airport Security Camera Project

RESOLUTION # 072-2011

RESOLUTION AUTHORIZING CHANGE ORDERS
FOR INSTALLTION OF AIRPORT SECURITY CAMERAS

WHEREAS, the Town of Hammonton is presently engaged in the installation of Security Cameras, which was awarded to Gary Kubiak and Son Electric, Inc. on March 22, 2010; and

WHEREAS, DY Consultants (Project Engineer) has recommended the following change orders:

Change Order #1 Additional PTZ Camera, Wall Rack & UPS Power Supply \$8,938.00
Change Order #2 Change location of Cameras at the Runway 21 end of Runway \$3,968.00

WHEREAS, the requested change orders are fully funded by the New Jersey Dept. of Transportation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the above listed change orders to Gary Kubiak and Son Electric Inc. are approved subject to the availability of funds.

#R073-2011 Amend 2011 Budget to Receive Downtown Form Based Code Grant

#R 73-2011

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received notice of a grant award in the amount of **\$28,000.00 from The College of New Jersey for its Downtown Form-Based Code**, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests that the Director of the Division of Local Government Services approve the insertion of an item of revenue in the **2011 Budget in the sum of \$28,000.00** which is now available as a revenue from:

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

Downtown Form-Based Code

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

#R074-2011 Tax Amendment Resolution

#R 074-2011

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

B&L	NAME	ADDRESS	AMOUNT	ACCT	REASON	PER
1001-73.01	Mortellite	875 13th Street	443.10	Tax	Refund overpayment	Rosie
1001-73.02	Mortellite	883 13th Street	443.10	Tax	Refund overpayment	Rosie

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

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

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

#R075-2011 Authorize Mainstreet "Rise Up America" Event and Road Closure

RESOLUTION # 075 -2011

RESOLUTION AUTHORIZING AND ENDORSING

6/27/11

"RISE UP AMERCA" EVENT

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

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

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the September 11 Tribute and 10 Year Anniversary to be held on Sunday, September 11, 2011.

BE IT FURTHER RESOLVED that approval be granted for the closing of Central Avenue (Rt. 542) from Bellevue Avenue (Rt. 54) to Vine Street between the hours of 12:00 noon to 3:00 p.m.

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

#R076-2011 Approve Corrective Action Plan for 2010 Audit

RESOLUTION NO. #076-2011

Corrective Action Plan of the Town of Hammonton,
County of Atlantic, State of New Jersey, for the year 2010.

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. 2010-1:

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 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. 2010-2:

Condition:

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

The Town did not award one contract in excess of the bid threshold and two change orders with a formal resolution of the governing body, nor was a certificate of availability of funds prepared for such contract and change orders.

Two change orders, which in the aggregate exceeded 20% of the original contract, were not executed in accordance with all applicable requirements as promulgated by the State of new Jersey for such change orders.

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

Corrective Action: The noncompliance of a formal resolution to award a contract and two change orders was a result of pure oversight. The Town relied on a consultant to comply with the Local Public Contracts Law with respect to the change orders exceeding the 20% threshold. **The Town has taken the findings and recommendation as a constructive recommendation and will exercise more care in order to fully comply with the Local Public Contracts Law and to closely monitor the actions of its' consultants to comply with said Laws.**

BE IT RESOLVED, that the Corrective Action Plan for the 2010 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.

#R077-2011 Request Dedication by Rider Recaptured Grant Funds

RESOLUTION No. 077- 2011

**A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR RECAPTURED GRANT FUNDS**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality for Recaptured Grant Funds pursuant to N.J.S.A. 40A:12A-3 et seq to provide for Small Cities Loans utilized by homeowners for home repairs and repaid to the Town through the Small Cities Program; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Recaptured Grant Funds are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Town Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures from a Recaptured Grant Funds to N.J.S.A. 40A:12A-3 et seq.

- 2. The Town Clerk of the Town of Hammonton is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

#R078-2011 Request Dedication by Rider Municipal Alliance on Alcohol and Drug Abuse Program Contributions

RESOLUTION No. 078-2011

A RESOLUTION REQUESTING PERMISSION FOR THE
DEDICATION BY RIDER FOR MUNICIPAL ALLIANCE ON ALCOHOL AND DRUG ABUSE – PROGRAM
CONTRIBUTIONS

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality for Municipal Alliance on Alcohol and Drug Abuse – Program Contributions pursuant to N.J.S.A. 40A:5-29 to provide for the operating costs to administer this act; and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Municipal Alliance on Alcohol and Drug Abuse – Program Contributions are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

- 1. The Town Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures from a Municipal Alliance on Alcohol and Drug Abuse – Program Contributions pursuant to N.J.S.A. 40A:5-29.
- 2. The Town Clerk of the Town of Hammonton is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

#R079-2011 Approve Highway Department Salaries

#R 079 -2011

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of certain officials and employees 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:

EFFECTIVE-January 1, 2010

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2010 TOTAL</u>	<u>NOTATIONS</u>
Larry Bradbury	Equipment Operator	49,900.00	longevity grandfathered
Bobby Bradbury	Equipment Operator	49,700.00	longevity grandfathered
Scott Rivera	Equipment Operator	48,900.00	longevity grandfathered

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Scott Rivera	Ass't Overseer	2,000.00	
Jorge Barreto	Equipment Operator	49,400.00	longevity grandfathered
Alex DeSilvio	Mechanic	36,200.00	
Russell Milazzo	Truck Driver	48,900.00	longevity grandfathered
Steve Taylor	Truck Driver	40,800.00	
Brian Mascio	Truck Driver	36,450.00	
Santo Cannistra	Truck Driver	33,550.00	
Juan Alvarez	Laborer	46,700.00	longevity grandfathered
William Martinez	Laborer	46,700.00	longevity grandfathered
Jesus Torres Perez	Laborer	46,700.00	longevity grandfathered
Martin Rodriguez	Laborer	35,850.00	
Kevin Wooton	Laborer	29,200.00	

EFFECTIVE – January 1, 2011

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2011 TOTAL</u>	<u>NOTATIONS</u>
Larry Bradbury	Equipment Operator	49,900.00	longevity grandfathered
Bobby Bradbury	Equipment Operator	49,700.00	longevity grandfathered
Scott Rivera	Equipment Operator	48,900.00	longevity grandfathered
Scott Rivera	Ass't Overseer	2,000.00	
Jorge Barreto	Equipment Operator	49,400.00	longevity grandfathered
Alex DeSilvio	Mechanic	36,200.00	
Russell Milazzo	Truck Driver	48,900.00	longevity grandfathered
Steve Taylor	Truck Driver	40,900.00	
Brian Mascio	Truck Driver	36,550.00	
Santo Cannistra	Truck Driver	33,650.00	
Juan Alvarez	Laborer	46,700.00	longevity grandfathered
William Martinez	Laborer	46,700.00	longevity grandfathered
Jesus Torres Perez	Laborer	46,700.00	longevity grandfathered
Martin Rodriguez	Laborer	35,950.00	
Kevin Wooton	Laborer	29,200.00	

EFFECTIVE – January 1, 2012

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2012 TOTAL</u>	<u>NOTATIONS</u>
Larry Bradbury	Equipment Operator	51,085.00	Longevity grandfathered
Bobby Bradbury	Equipment Operator	50,885.00	Longevity grandfathered
Scott Rivera	Equipment Operator	50,085.00	Longevity grandfathered
Scott Rivera	Ass't Overseer	2,000.00	
Jorge Barreto	Equipment Operator	50,585.00	Longevity grandfathered
Alex DeSilvio	Mechanic	37,205.00	
Russell Milazzo	Truck Driver	50,048.00	Longevity grandfathered
Steve Taylor	Truck Driver	42,008.00	
Brian Mascio	Truck Driver	37,554.00	
Santo Cannistra	Truck Driver	34,586.00	
Juan Alvarez	Laborer	47,820.00	Longevity grandfathered
William Martinez	Laborer	47,820.00	Longevity grandfathered
Jesus Torres Perez	Laborer	47,820.00	Longevity grandfathered
Martin Rodriguez	Laborer	36,936.00	

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Kevin Wooton Laborer 30,030.00

EFFECTIVE – January 1, 2013

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2013 TOTAL</u>	<u>NOTATIONS</u>
Larry Bradbury	Equipment Operator	52,300.00	longevity grandfathered
Bobby Bradbury	Equipment Operator	52,100.00	longevity grandfathered
Scott Rivera	Equipment Operator	51,300.00	longevity grandfathered
Scott Rivera	Ass't Overseer	2,000.00	
Jorge Barreto	Equipment Operator	51,800.00	longevity grandfathered
Alex DeSilvio	Mechanic	38,233.00	
Russell Milazzo	Truck Driver	51,224.00	longevity grandfathered
Steve Taylor	Truck Driver	43,141.00	
Brian Mascio	Truck Driver	38,580.00	
Santo Cannistra	Truck Driver	35,543.00	
Juan Alvarez	Laborer	48,968.00	longevity grandfathered
William Martinez	Laborer	48,968.00	longevity grandfathered
Jesus Torres Perez	Laborer	48,968.00	longevity grandfathered
Martin Rodriguez	Laborer	37,944.00	
Kevin Wooton	Laborer	30,878.00	

#R080-2011 Approve Municipal Clerk Salary

#R 080 - 2011

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>2011 Total</u>	<u>2012 Total</u>	<u>2013 Total</u>
April Boyer Maimone	Municipal Clerk	66,500.00	68,100.00	69,740.00

Motion by Councilperson Barberio, seconded by Councilperson Rodio, resolution 67 through 80 be adopted.

ROLL CALL

- Councilpersons:
- Barberio - Yes
- Esposito - Yes
- Gribbin - Yes
- Pullia - Yes
- Rodio - Yes
- Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

PUBLIC HEARD

Joe Linneman – 77 Centennial Drive – Royce Run

Mr. Linneman questioned the Solicitor concerning the Town authorizing him to file a complaint to go after the builder.

Solicitor responded we will be asking for some help in the form of court mandates to hold the builder accountable for the non compliant issues at Royce Run.

Mr. Linneman questioned what can be done to remedy the problems such as lawns in the interim and asked if it would be possible to notice the builder to cut the lawn or could the Town assign someone to cut the lawn and acquire the money from the builder later?

Mayor questioned is Mr. Linneman referring to the town cutting the lawn or the association?

Mr. Linneman responded, the Town.

Mayor DiDonato then stated that the town mowed the lawn once last year already having incurred expenses that should be added to the list of items that should be billed to the builder. However, there is no guarantee that we will receive money.

Solicitor advised in a prepared agreement from 2002 there was to be a homeowners association with a monthly fee paid by the homeowners to handle situations such as this. However, the agreement never came to fruition. This homeowners fee requirement is consistent with every development in town.

Mayor DiDonato stated it is his opinion to stand behind the homeowners of Royce Run and front the money to mow this property as previous council's did the same for Traditions at Blueberry Ridge. If council cannot get the builder to comply then Royce Run homeowners will need to form an association to handle this in the future. Specifically the Town will front the money and/or service and attempt to acquire a refund from the builder. If Town is not successful in acquiring refund from builder then the Town would acquire the refund from the association when it's created. He questioned Mr. Linneman does this seem fair?

Mr. Linneman stated he cannot speak for all homeowners.

Authorize Landscaping Services Royce Run

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize the Town to handle landscaping at Royce Run Development throughout year 2011 not to exceed \$600 from Highway OE with money to be reimbursable either through law suit or homeowners association.

Councilman Rodio stated he will try to get the highway department to handle this as not to expend money on same.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes
Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

Mark Santora – 385 Old Forks Road

Mr. Santora once again had several questions concerning status of Traditions at Blueberry Ridge at which time a discussion between Mr. Santora, Council and Solicitor was held.

Mr. Adolph - Traditions at Blueberry Ridge

Mr. Adolph questioned the radium contamination and how it relates to our wells?

Councilman Pullia advised Mr. Adolph concerning contamination levels and the Town of Hammonton water distribution system.

Mr. Adolph stated homeowners at Blueberry Ridge were very disappointed with the survival rate of the trees planted out there. They hired an arborist who pointed out that a number of trees were not planted properly which is leading to disease.

Frank Ingemi and Susanne Oddo

Mr. Ingemi and Mrs. Oddo requested the opportunity to attend an unplanned executive session after the meeting.

Mayor and Council agreed.

Councilman Torrissi wished the Town of Hammonton a safe and enjoyable holiday.

#R081-2011 Enter Into Executive Session

#R 081-2011

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. Retiree payments

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 Councilman Gribbin, seconded by Councilman Esposito, enter into executive session.

ROLL CALL

Councilpersons:
Barberio - Yes
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes

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Torrissi - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion.

MEETING ADJOURNED

Motion by Councilperson Barberio, seconded by Councilperson Esposito, the meetings be adjourned.

April Boyer Maimone, Municipal Clerk