

Minutes Regular Meeting of Mayor and Council – December 17, 2012
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

Agendas & 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

#R125-2012 Executive Session

#R125-2012

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. Traditions at Blueberry Ridge/PULTE
 - Settlement proposal for landscaping and storm drains
 - Arbitration
 - Order to Show Cause
 - Paving
 - Basin status
2. Treatment Solutions
3. Raso v. Town of Hammonton
4. Paramount payment bond claim
5. Giannini tree clearing
6. Thru the Fence
7. Water Department Succession Plan
8. Fatality at Hammonton Airport
9. Paradise Lakes
10. Royce Run
11. Other tax sale issues
12. Berenato/Universal settlement funding
13. Adjustment of sewer bill for contaminated property
14. End of the World Event

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

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilpersons:

Carpo - Present

Esposito - Present

Furgione - Present

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

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

MOMENT OF SILENCE

Mayor DiDonato requested a Moment of Silence for the victims of Sandy Hook Elementary School in Connecticut.

Mayor DiDonato implored President Obama and our Legislative officials to ban all assault rifles.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session November 26, 2012

Regular Meeting November 26, 2012

Motion by Councilperson Torrissi, seconded by Councilperson Carpo, the minutes are approved as recorded by the clerk.

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

1a. Presentation Councilman Michael Torrissi

Mayor DiDonato presented a plaque to Councilman Torrissi to thank him for his dedication to the Town of Hammonton during his term on Town Council.

Councilman Torrissi thanked Mayor and Council and his family and friends and stated it has been an honor to serve the Town of Hammonton.

1b. Water Department Update – Michael Ott, Assistant Superintendent

Mr. Michael Ott, Assistant Water Treatment Plant Superintendent, gave a detailed report on raw and finished water samples taken over the last month. He answered questions posed by Mayor and Council.

Mayor DiDonato requested the results be placed on townofhammonton.org.

1c. Hearing Ordinance #026-2012 Capital Appropriation Renovate Property-Stockton

CAPITAL ORDINANCE APPROPRIATING \$4,900,000 FOR THE RENOVIATION 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 \$4,900,000 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 Torrissi, 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 Esposito, seconded by Councilperson Rodio, the hearing is closed, the ordinance passed second reading and is adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Hearing Ordinance #027-2012 Amend Vehicles & Traffic-Extend Downtown Parking

Ordinance #027-2012

AN ORDINANCE AMENDING Chapters 271-13 (B) , 271-13(C), 271-13(D),
and 271-17 entitled Vehicles and Traffic

WHEREAS, Resolution #R060-2011 temporarily suspended two hour parking and modified the hours during which no parking is prohibited on certain roadways in the Town of Hammonton as a trial to allow more time for visitors to the downtown area; and

WHEREAS, the trial proved to be successful by promoting business activity in the vicinity of those roadways and did not adversely affect the functions of the streets, avenues and municipal parking lots in the downtown area.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the following amendments are adopted:

271-13(B) Roadways Designated as "No Parking Zones" between 3:00 a.m. and 6:00 a.m.

There are hereby established "No Parking Zones" between the hours of 3:00 a.m. and 6:00 a.m. in the following streets and avenues in the Town of Hammonton:

Leave (1) thru (10) listed here

271-13(C)

Removed 1st line all together

Parking shall be prohibited on all days in said zones and municipal parking lots between 3:00 a.m. and 6:00 a.m.

271-13(D)

Repealed in its entirety.

271-17 Taxi lots

Repealed in its entirety.

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

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

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

3. Hearing Ordinance #028-2012 Officially Designating Leo Park with amendment

ORDINANCE # 028-2012

AN ORDINANCE RECOGNIZING THE EFFORTS OF THE HAMMONTON LIONS CLUB IN RENOVATING AN AREA WITHIN VETERANS MEMORIAL PARK AND DESIGNATING THAT AREA AS LEO PARK

WHEREAS, in or about 1997 the Hammonton Lions Club volunteered to improve the southeast portion of Veterans Memorial Park which had been home to a pair of basketball courts at the intersection of Vine Street and Schoolhouse Lane in order to transform same into a green space contiguous to and consistent with the remaining area of Veterans Memorial Park located at the intersection of Schoolhouse Lane and Route 54 (Bellevue Avenue); and

WHEREAS, the Hammonton Lions Club, with the authorization of Mayor and Council, completed that renovation project and for the last fifteen (15) years +/- have assisted the Town of Hammonton in maintaining and improving this area within Veterans Memorial Park; and

WHEREAS, while the Town Council minutes of July 28, 1997 reflect Council's authorization "to move ahead with extension of the park" as proposed by the Hammonton Lions Club, they do not:

1. Formally authorize placement of a sign;
2. Authorize the name chosen by the Hammonton Lions Club.
3. Define future maintenance rights/responsibilities/procedures;
4. Confirm that the entirety of the park remains Veterans Memorial Park; nor
5. Establish a procedure for future volunteer capital improvements within this portion of Veterans Memorial Park.

WHEREAS, both the Town and the Lions Club share the goal of continuing the excellent relationship they have enjoyed in the past for the continued improvement and beautification of this area within Veterans Memorial Park; and

WHEREAS, the Town, in conjunction with construction of the new municipal building, moved the former historic town hall in 2007 to Veterans Memorial Park for use by the Hammonton Historical Society.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY THAT:

1. The Town specifically authorizes the continued presence of the existing sign installed by the Lions Club which reads: "Hammonton Lions Leo Park June 28, 1998"; and
2. The Town further authorizes the Lions Club, at its expense, to attach additional language to the existing sign which reads: "Within Veterans Memorial Park"; and
3. The Lions Club and the Town of Hammonton shall continue to work in a harmonious fashion in order to promote appropriate public use and enjoyment of the park; and
4. Since March 28, 1974, Veterans Memorial Park has been owned by the Town of Hammonton. Nothing contained herein shall alter that status.
5. The Hammonton Park Commission shall continue to have jurisdiction over this park and any renovation by the Hammonton Lions Club or any other volunteer organization shall require written authorization from that entity or, in the alternative, from Mayor and Council; and
6. Nothing contained in this Ordinance shall alter the content of Ordinance #10-1974 which designated the entire area of Schoolhouse Lane from Bellevue Avenue to Vine Street as Veterans Memorial Park.
7. In the event that additional space is required for the erection of war memorials, nothing contained herein shall limit the Town's right to place such a memorial at any location within Veterans Memorial Park it deems appropriate to recognize the sacrifices made by those who served our country and lost their lives in doing so.

8. This Ordinance shall serve as formal recognition of the Town's recognition and authorization for the placement of the former historic town hall in Veterans Memorial Park.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito

Advised on Administrative Committee Meeting and award of Specialized Services this evening

Business & Industry-Councilperson Esposito

Acknowledge Firemen Christmas Parade

Third Thursday December Downtown Light Up the Season Event

Wished everyone a Merry Christmas and Happy New Year

Education-Councilperson Furgione

Advised on Board of Education Matters

2013 School Board Election has been moved to November General Election

Congratulated St. Joe for moving to State Championships

Public Works & Transportation-Councilperson Rodio

Defer Action Items to Engineer Report

Reported on various projects

Wished all a Merry Christmas and Happy New Year

Quality of Life – Councilperson Torrissi

Defer Action Item to Councilwoman Carpo

Wished everyone a Happy Holiday

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, authorize purchase orders as follows:

\$400.00 for 2013 ANJAC dues

\$166.00 to purchase Cherry Trees

\$11.00 Office supplies

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Councilwoman Carpo wished everyone a Merry Christmas and Happy New Year.

Water & Sewer – Councilperson Pullia

Updated on wells not covered under Asst Water Supt report

All water results will be on townofhammonton.org

Defer Action Items to Engineer Report

Report on various projects

Wished everyone a Merry Christmas and Happy New Year

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

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

The removal of the impacted soils situated exterior to the building was deemed complete on November 26th.

The impacted soils discovered under the building are being addressed administratively by implementing both institutional (i.e., deed notice) and engineering (i.e., cap) controls. ARH has prepared the deed notice, which is being reviewed by the Town Solicitor. After it is recorded by the Solicitor with the County Clerk's Office, a remedial action permit application (soils) will be prepared/ submitted to NJDEP for the remaining soil impacts.

Regarding groundwater quality, ARH completed the required classification exception area (CEA) analysis and submitted same to NJDEP on November 15th to address this issue through the natural attenuation option. After the CEA is approved, a remedial action permit application (groundwater) will be prepared/ submitted to NJDEP for the remaining groundwater impacts.

As discussed previously with both the Town and Stockton, the remedial action permit(s) will require long-term monitoring and reporting. Additionally, ARH is in the process of preparing the final Remedial Action (RA) Report and has been communicating with Town staff with respect to the need for supporting documents (i.e., waste manifests, clean fill load slips, contractor's certification, cost summary, etc.).

As Council is aware, in order to keep the project moving ARH has been working with the contractor and Stockton at the site without the approval of a formal proposal for the additional work required by our office and the associated laboratory costs. We have attached our proposal dated 10/24/12 totaling \$49,163.25 for the work completed thus far and the remaining work to allow for the Remedial Action Outcome (ROA) letter with accompanying reports to be issued by the Licensed Site Remediation Professional (LSRP). We reviewed same with representatives from Stockton last month and they have approved the proposal for action by Town Council. We were requested to re-submit the proposal again this month for Council's consideration.

Motion by Councilperson Carpo, seconded by Councilperson Rodio, approve ARH proposal dated 10/24/12 for the additional testing, laboratory and reporting work required at the Stockton Site totaling \$49,163.25. We are also requesting the issuance of the Purchase Order for same and payment of the existing bills incurred to date.

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:

2. Hammonton Water System - AACO (ARH #11-30152):

Radium at Well #5/#7:

Building Construction:

The report as filed last month remains essentially unchanged as we are awaiting delivery of the equipment. For convenience, we are reiterating last month's report below:

TKT Construction of Williamstown, NJ has been on-site since September 18, 2012. To date, the site has been prepared, footing poured, underground piping installed, base pad poured and the masonry walls constructed. The proposed delivery of the radium equipment was slated for the first week of December. Due to holiday impacts, the contractor has decided not to take delivery until after the first of the year. It is still anticipated that the construction completion schedule of February 1, 2013 can be met. With regard to the ACO, the completion schedule is June 1st.

Change Order Issues:

Currently, we are evaluating two change order issues. The first involves the need for the construction of a sanitary sewer lateral at the well site to accommodate the back-wash operation associated with the radium treatment process. Originally, the Town forces were scheduled to make the installation, but after further evaluation, the depth the main is beyond their in house capabilities. We will discuss this matter with the PWTC and if sufficient time and documentation permits, action on this matter may be taken at the upcoming Council meeting.

The second change order deals with the conditions of the line shaft associated with Well #7 which was pulled for evaluation and potential repairs while the well was inoperative. This activity was included in the construction specification. A more detailed report of the activity will be provided to the PWTC and if sufficient time permits, action may be taken on this item as well to authorize the change order. Once again, additional information will be provided depending on PWTC's review for action at the Council meeting.

Well #5/#7 – Radium Licensing:

The employees operating the radium treatment system will require NJDEP sanctioned training. Additionally, the facility must be licensed by the NJDEP before becoming operative. The scope of services under this requirement will involve a firm or professional that can provide the necessary training and licensing. Here is a summary of the items:

- Make application under the above referenced license for the Town of Hammonton Wells #5 & #7 radium removal treatment systems to operate under an NJDEP / BER radioactive materials license.
- Perform a radiation contamination survey of the equipment location at each treatment site.

- Provide a radiation dosimetry program, including providing all required dosimeter badges for the treatment site and managing the information collected from these badges.
- Conduct a radiation safety awareness training for the system operators when the treatment systems are placed into operation and annual refresher training.
- Provide Radiation Safety Officer (RSO) services for Hammonton and this site as required by the NJDEP / Bureau of Environmental Regulation (BER) license.
- Conduct an annual site visit to the site and conduct a radiation inspection as required by the NJDEP / BER license.
- Generate radioactive materials license application, documentation, compliance, and maintenance documents as required by the NJ DEP / BER license.

The services excludes the following whereby the Town of Hammonton will have responsibility:

- Radioactive Material License fees due to the NJ DEP / BER
 - Any Financial Assurance as may be required by NJ DEP / BER
- On behalf of the Town, we solicited quotations from WRT and a competitor as it relates to these services from Dr. Edward Christman. The PWTC has been furnished the quotations.

When reviewing the proposals, WRT is significantly more than Dr. Christman when it is analyzed. WRT's first year fee is \$10,300.00 versus \$9,500.00 from Christman. The WRT first year fee was discounted provided that the Town agrees to utilize their services for the annual work (10 yr commitment). The cost per year from WRT would be \$10,300.00, whereas, Christman's fee after the first year is \$2,500.00 per year.

It is obvious that the better option for these services is utilizing Dr. Christman. For budgeting purposes, the radium license is \$2,500.00 – \$3,000.00. There is an annual renewal fee which is a fraction of the total initial fee.

Dr. Christman does not anticipate any additional training costs when adding Well #4 to the list in the future. However, there will be a slight cost for an amendment to add Well #4 as a radium treatment facility along with the radium license payable to the State of NJ.

Well #4 Radium Treatment Facility and Air Stripper:

Well #4 remains off-line since Well #3 has been meeting the demand during the non-peak season. Due to test results that were above the MCL, the Town is required and did issue the required public notices. It remains the intent not to return Well #4 to service unless there is an emergency. The Town continues to be capable of refraining on the use of Wells #5 and #7 until they are returned to service which is hopefully by the beginning of February.

Last month, we were provided partial authorization to initiate design in order to take advantage of NJEIT funding. The submission to NJEIT is due by March 1, 2013. The ACO requires the Town to submit a design plan to the NJDEP by October 1, 2013. As a reminder, a separate NJEIT application will include the installation of a SCADA system and a comprehensive meter replacement program employing the use of radio frequency type meters.

Licensed Operator:

Since the licensed operator requirement was fulfilled, it is reminded that the next ACO requirement on this topic is the submission of a licensed operator succession plan. Submission is due by April 30, 2013.

Well #1 – Volatile Organic Compounds (VOC's):

Following last month's report, the units were installed on November 30, 2012 including the loading of the vessels in compliance with our previously presented scheduled. The vessels needed to be backwashed before conveyance to the system which was accomplished on Tuesday, December 4, 2012. On the next

day the piping was flushed again as a safeguard prior to conveyance to the distribution system. At that point, a water quality sample was taken and test results are required as a precaution before activation. At this writing, the return of test results are imminent and we are anticipating activation to Well #1 prior to the night of the meeting.

Now that most of the costs are identified, we will submit a report to the NJDEP Spill Compensation Fund Program under their Damage Claim provisions. There is a three month period whereby routine testing is required to determine the success of the equipment. Following the three month period, additional discussion will occur about conversion of this equipment to permanency.

AACO Compliance Dates:

- ~ Licensed Operator compliance – October 31, 2012 (COMPLETED)
- ~ Licensed Operator succession plan – April 30, 2013
- ~ Wells #5/#7 Radium Removal – project completion July 1, 2013
- ~ Well #4 Radium Removal – project completion February 28, 2015
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – Feb 28, 2015
- ~ Well #1 VOC Removal – completed

Motion by Councilperson Pullia, seconded by Councilperson Esposito,

1. Authorize Dr. Christman to perform the radium licensing training and requirements which is a prerequisite to the operation of Wells #5/#7 at a cost of \$9,500.00 for the first year.

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,

2. Authorize change order #1 in the amount of \$6,738.54 to TKT to provide for the installation of a sewer service lateral to service well site #5 & #7 new Radium treatment facility.

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 Esposito,

3. Authorize change order #2 in the amount of \$8,574.84 to TKT to provide for the replacement of the line shaft associated with Well #7.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Add on Action Item-Authorize Purchase Order TKT

Motion by Councilperson Pullia, seconded by Councilperson Esposito, authorize a purchase order to TKT in the amount of \$ 3,995.42 for Well #1 heat trace and insulation of exposed pipe.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS:

3. Wastewater Treatment Plant Surface Water Permit (ARH #11-50058):
A meeting has yet to be set by NJDEP following their granting of Hammonton’s request for an adjudicatory hearing on our discharge limits.

As a reminder, the issues raised in the comment letter involve the following:

- ~ Frequency of the quarterly copper monitoring requirement.
- ~ Ability to perform a site specific study to address the zinc limit

4. Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138):
The water main portion of the project is completed and tested. Services from the main to the edge of pavement are also 100% complete which includes services to vacant lots based on zoning determinations. Paving, which was the responsibility of Lafayette (Contract #1) was completed over the Thanksgiving weekend by their subcontractor, Arawak Paving. Currently, Contract 1 activity consists of driveway apron transitions and general punch list activities. The lateral contractor (Contract 2) is well involved in the connection of those in the area of the Contaminated Known Extent (CKE).

5. 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.

PUBLIC WORKS INFORMATION ITEMS

6. FY2013 Municipal Aid Applications (11-40041): - No Status Change

Pursuant to our authorization we have prepared and filed the following applications to NJDOT for FY2013:

Municipal Aid – Pratt Street from Egg Harbor Road to Fourth Street – Phase II
(\$250,000.00 Requested)

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.
(\$250,000 Requested)

Safe Streets to Transit – This would extend decorative sidewalk from Historic Train Station to Peach Street. Along with sidewalk along Front Street between Passmore Avenue and Line Street on the Fire Station side.
(\$225,000 Requested)

This item is pending NJDOT review, last year's program allotments were announced in March.

7. Hammonton Lake Aquatic Weed Control (P2011.0492):

As requested by the Lake Water Quality Committee, we have prepared a proposal to complete the various tasks needed to proceed with the fieldwork, permitting, bid process, etc. for the application of aquatic weed control to the Hammonton Lake. The application will be applied in late spring or early summer of 2013 as per the Lake Water Quality Management Report. If the Council desires to complete the application and weed treatment work, funds will need to be established within the 2013 budget. We would be available to discuss the project requirements with the Finance Committee of Council at the appropriate time of budget preparation.

8. Drainage Projects: Anderson Avenue (11-60208.01) & Chew Road/Jacobs Street (11-60207.01):

For both of these project areas, we have contacted the majority of the affected property owners. Discussions related to possible drainage easements and review of the conceptual design plans occurred. Most of the property owners were in general agreement with the concept plans and easements. As noted last month, we may need to complete some revisions to the Anderson Avenue plans in order to provide an overflow route of stormwater to Egg Harbor Road. We will keep Council informed of further discussions and progress. We also talked with the property owner at the Chew Road/First Road intersection. We will make some minor adjustments to the conceptual design in order to satisfy the property owner's concern and easement request. We will provide a proposal to Mayor and Council to complete the formal project design, plans and reports, seek permits and provide construction costs, estimates, etc. so that the funding could be established in the 2013 municipal budget.

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

There have been some time delays on this project. This has been partially due to the change orders that were previously authorized. It is our understanding some of the delay is due to Hurricane Sandy. At present time, the subgrade for the main parking area and the storm water basin located in this area is nearly excavated to the appropriate grade. It is anticipated DGA will be brought in shortly. As previously reported, it was anticipated that paving would be completed by this point, however we will monitor the

weather (specifically temperature) and make sure paving is completed within NJDOT acceptable temperature ranges.

10. **Skinner Building – Egg Harbor Road (ARH# 11-01074)**
Enterprise Network Resolutions (ENR) completed the removal of the storage tanks from the property the week of November 26th, and is still in the process of removing the waste materials stored within the buildings. ARH is close to completing the Preliminary Assessment (PA) Report and is getting ready to initiate some additional sampling in connection with the ongoing Site Investigation (SI).
11. **Drainage Projects: Lakeshore and White Horse Pike (ARH #11-60202.03):**
We have submitted an application to the NJDOT for Discretionary Aid funding consideration in the amount of \$247,250. Copies of the application were forwarded to area legislators. Council should contact the legislators to request their support for the project funding request.
12. **Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153):**
As noted in prior reports, we were requested to resubmit our proposal dated 4/3/12 to complete the Environmental Investigative Work at the above noted site. This Preliminary Site Assessment will be required as part of the initial phase for any funding application the Town may consider to complete the parking lot improvements at this location. Our proposal dated 4/3/12 totaling \$16,700.00 relates to the work required to complete the Preliminary Site Assessment investigation and report. We are waiting for further direction by the Mayor and Council. If Mayor and Council are still interested in pursuing this project, consideration for inclusion of these funds within the 2013 budget would be appropriate. We will be guided by Council's action.
13. **2012 Roadway/Drainage Projects (ARH #11-40045 & 46):**
We are continuing work the conceptual design plans for the project roadways. We have prepared the application to the NJEIT for funding consideration as authorized by Council totaling over 4.5 million dollars. We should hear something from NJEIT after the first of the year related to this funding request. We will also be reviewing the design plans with the PWTC as design work progresses.
14. **Hammonton Tax Map Revisions, Property Revaluation (P2011.0485):**
The work on the Hammonton Tax Map revisions for submittal to the State Division of Taxation following the agreed upon schedule is nearing completion. We have worked closely with the Town's Tax Office to ensure that the map and tax records are synchronized. We are now in a position to plot the final draft of the revised Tax Maps and submit same to the State for their review. This submission will be made shortly in advance of the January 1st deadline established by the Court.

SOLICITOR REPORT

1. Lions/Veterans (taken up earlier in meeting under Dispense)
2. Pulte/Traditions at Blueberry Ridge
3. No Left Turn: Route 30 and Pleasant Mills Road
4. Royce Run

Motion by Councilperson Furgione, seconded by Councilperson Torrissi, authorize the Tax Collector to remove Block 4301, Lot 9.20 and Block 4901, Lot 21.36 from tax sale list.

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. Treatment Solutions
- 6. Getty Gas Station (Monroe Ave and Route 54 Block 2501, Lot 5)

Motion by Councilperson Esposito, seconded by Councilperson Rodio, authorize Solicitor to negotiate settlement agreement.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Mr. Howell wished everyone a Happy Holiday.

MAYOR REPORT

Thanked Joanna and Bob Conn for donation of Centennial Plate which will be hung at Town Hall.
Thanked Arawak Paving Company and the Barrett Family for their donation of services for paving Front Street at no cost to the Town.
Wished everyone a Happy and Blessed Holiday Season.

#R125B-2012 Acknowledge Volunteer Paving Services – Arawak

R125B-2012

RESOLUTION AUTHORIZING AND
ACKNOWLEDGING PAVING THE DONATION OF
ARAWAK PAVING COMPANY & BARRETT ASPHALT CORPORATION
FOR FRONT STREET
BETWEEN ROUTE 54 AND PASSMORE AVENUE

WHEREAS, Front Street between Route 54 and Passmore Avenue is a Town road; and

WHEREAS, Front Street will be the main roadway utilized for ingress and egress to the Stockton at Hammonton Project; and

WHEREAS, the present condition of Front Street has areas of deterioration; and

WHEREAS, it would enhance the appearance and functionality of the roadway if same were to be repaved; and

WHEREAS, Arawak/Barrett Paving has generously offered to perform said repaving operation at no cost to the Town.

NOW, THEREFORE, it is on this 17th day of December, 2012 BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that:

1. The Town acknowledges the generous donation of the labor, materials and equipment necessary to conduct the repaving operation by Arawak Paving Company & Barrett Asphalt Corporation;
2. The Town officially authorizes Arawak Paving Company & Barrett Asphalt Corporation to perform said repaving operation;
3. The Town authorizes Arawak Paving Company & Barrett Asphalt Corporation to establish the area of Front Street and the areas immediately adjacent thereto necessary to perform the above-described task as a construction zone; and
4. Arawak Paving Company & Barrett Asphalt Corporation shall supply the Town with an Insurance Certificate in standard form acceptable to the Town's Insurance Administrator which names the Town as an additional insured.

Motion by Councilperson Rodio, seconded by Councilperson Torrissi, authorize Arawak Paving to perform paving services at no cost to the Town of Hammonton and the resolution is adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT

Pinelands Approval of Solar Panel Array (2 acres)

Brine and Salt Interlocal Agreement with Atlantic County

#R125A-2012 Interlocal Service Agreement – Atlantic County – Road Salt

RESOLUTION #125A-2012

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT
BETWEEN THE TOWN OF HAMMONTON AND
THE COUNTY OF ATLANTIC

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

WHEREAS, the Town of Hammonton and the County of Atlantic have agreed to enter into an interlocal service agreement wherein Atlantic County will provide salt brine to the Town of Hammonton and the Town of Hammonton will provide Rock Salt to Atlantic County from December 17, 2012 through June 30, 2019 as follows:

Salt Brine .35 cents per gallon (pricing for 2012/2013 winter season only)
Rock Salt \$56.14 per ton (pricing for 2012/2013 winter season only)

WHEREAS, the above costs are subject to change from season to season.

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

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

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Grant: NJDEP Forestry No Net Loss Update
Skinner Project Bid Specifications

Motion by Councilperson Esposito, seconded by Councilperson Rodio, authorize the Business Administrator to bid demolition of Skinner Building.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Updated Tax Map Submission

FEMA Update

Leaf Season will continue until December 28, 2012

Trash pick-up Christmas and New Years Day

Thank You Councilman Torrissi

TOWN CLERK REPORT

1. Accept resignation Brian Mascio Truck Driver effective 10/9/12
2. Approve Inter Departmental and Title Transfer Chris Ballin from Public Utilities Dept/Sewage Plant Operator to Highway Dept/Truck Driver at current salary
3. Approve Theodore Idell new member Fire Co. #2

Motion by Councilperson Carpo, seconded by Councilperson Torrissi, Town Clerk Report Items 1-3 are approved.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the bill list and purchase orders for December 2012 are approved.

ROLL CALL

Councilpersons:

Carpo – Yes (recused on T-Masters only)

Esposito - Yes

Furgione – Yes (recused on Lafayette only)

Pullia - Yes

Rodio – Yes (recused on White Star only)

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R126-2012 Amend Capital Budget – Renovate Property

#R126-2012

TOWN OF HAMMONTON

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2012 was adopted on the 14th day of May, 2012; and

WHEREAS, it is desired to amend said adopted capital budget;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hammonton, County of Atlantic, that the following modification to the adopted capital budget of the Town of Hammonton be made:

General Capital Fund

<u>Purpose</u>	<u>Total</u>	<u>Local Funding Source.(1)</u>
Renovation of Property	<u>\$800,000.00</u>	<u>\$800,000.00</u>

(1) The Richard Stockton College of New Jersey

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.

#R127-2012 Award Specialized Service Contracts for Year 2013

#R 127-2012

A RESOLUTION AWARDING VARIOUS
SPECIALIZED SERVICE CONTRACTS AND QUOTES

WHEREAS, there exists a need for specialized services for the Town of Hammonton, New Jersey, on an annual basis as follows:

<u>Department</u>	<u>Service</u>	<u>Vendor</u>	<u>Not to Exceed Amount</u>
Dog Regulations	Animal Control Services	Animal Capture & Control	\$630.00 per month
	Animal carcass removal under 75 lbs (excluding deer & livestock)	Animal Capture & Control	\$20.00 per pickup \$40.00 after hrs
Landfill-Highway-MunUtility-Airport	Lab Testing	QC Labs Inc.	\$40,000.00
Municipal Utility Dept.	Lab Testing	JR Henderson	\$40,000.00
Municipal Utility Dept.	Polymer Supply	Polydyne Inc.	\$22,000.00
Municipal Utility Dept.	VFD Repairs	EMF Control Services	\$19,000.00
Municipal Utility Dept.	Chlorine / Sulfuric	Univar	\$30,000.00
Municipal Utility Dept.	Klenphos	Klenzoid	\$20,000.00
Municipal Utility Dept.	Water Clocks	Rio Supply (yr 2012/2013)	\$100,000.00
Municipal Utility Dept.	WWTP Consultant	Omni (excluding special projects)	\$50,000.00
Municipal Utility Dept.	Lime	Helena Chemical	\$15,000.00
Municipal Utility Dept.	IA System Maint/Repair	Invensys/Foxboro	\$7,042.00
Municipal Utility Dept.	Instrumentation	Contech Assoc.	\$25,000.00

WHEREAS, funds are available under the above listed budget appropriations, and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with above listed vendors for year 2013 and

#R128-2012 Set 2013 Council Meeting Dates

#R128-2012

WHEREAS, the Open Public Meeting Act otherwise known as Chapter 231 of the Public Laws of 1975 requires that all municipalities adopt a Resolution setting the time, place and date of their meeting; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, as follows:

1. There shall be an **Organization Meeting at 12:00 o'clock noon on January 1, 2013** at which time Mayor and Common Council of the Town of Hammonton will reorganize for the full year and conduct such business, including emergent matters, as is necessary.
2. The following is the list of **council meeting dates for year 2013**. Said meetings will begin at 6:00 p.m. with an executive session, if necessary, which will adjourn to the open portion of the meeting at 7:00 p.m., in the Town Council Chambers, Town Hall, 100 Central Avenue, Hammonton, New Jersey 08037:

January 28	July 22
February 25	August 26
March 18	September 23
April 22	October 28
May 28	November 18
June 24	December 16

3. That the council meetings will be open to the public.
4. That the Hammonton Gazette and the Atlantic City Press are those newspapers designated as the papers to which all notices are to be sent as to all meetings not specifically provided for in this Resolution to Chapter 231 of the Public Laws of 1975.
5. That minutes shall be kept and provided as required by said statute by the Town Clerk of all the meetings set forth above and shall be available to the public pursuant to the requirements of said law.

#R129-2012 Direct Distribution of JIF Surplus Funds

RESOLUTION #129-2012

RESOLUTION DIRECTING THE DISTRIBUTION

**OF THE TOWN OF HAMMONTON'S
NET RETURNED SURPLUS FUNDS**

HELD IN TRUST BY THE

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Town of Hammonton hereinafter referred to as MUNICIPALITY, participated as a member municipality of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as FUND, for one or more of the following FUND fiscal years beginning January 1, 1997, January 1, 1998, January 1, 1999, January 1, 2000, January 1, 2001, January 1, 2002, January 1, 2003, January 1, 2004, January 1, 2005, January 1, 2006, January 1, 2007 **and**

WHEREAS, the FUND is a statutory filed municipal joint insurance fund as defined in N.J.A.C. 11:15-2.1 et seq., **and**

WHEREAS, the MUNICIPALITY joined the FUND knowing that membership carries with it joint and several liability with all other member municipalities for each year of the Municipality's membership, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any available statutory surplus will be released by the FUND, **and**

WHEREAS, the MUNICIPALITY understands that the FUND's Executive Committee are the only persons authorized in law to make decisions as to when and how much of any projected deficit will be declared as an additional assessment due to the FUND, **and**

WHEREAS, the MUNICIPALITY understands that Available Statutory Surplus is defined to be the amount of money in excess of the projected value of claims by line of coverage, plus an actuarially determined value for Incurred But Not Reported claims, subject to the surplus reserve calculations as defined in N.J.A.C. 11:15-4.6 et seq., and subject to review and approval by the Department of Banking and Insurance and Department of Community Affairs, State of New Jersey, prior to release by the Executive Committee of the FUND, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier release of Available Statutory Surplus due to the possibility that a FUND year wherein a return of Statutory Surplus has been duly authorized could later be presented with a claim for which it could be responsible causing a demand for an additional assessment from each participating member municipality of that FUND year, **and**

WHEREAS, the MUNICIPALITY understands that it remains jointly and severally liable into perpetuity despite the earlier collection of an additional assessment due to the possibility that a FUND year wherein an additional assessment has been duly authorized could later be presented with a need for additional assessments from each participating member municipality of that FUND year, **and**

WHEREAS, the MUNICIPALITY understands that its options for directing the distribution of its net share of released Statutory Surplus to be as follows:

1. Direct the FUND to apply the MUNICIPALITY's share to the MUNICIPALITY's premium in the next FUND fiscal year (N.J.A.C. 11:15-4.21(e)),
2. Direct the FUND to apply the MUNICIPALITY's share to the FUND's Aggregate Excess Loss Contingency Fund, which provides member municipalities with an available individual contingency balance for use in satisfying any possible need for a supplemental assessment for any year they were a member and an annual capacity to use all or a portion of a member municipality's available balance in offsetting future premiums, **or**
3. Direct the FUND to apportion the MUNICIPALITY's share as a stated dollar amount among options 1 and 2 above such that the sum total of allocated

dollars equals the amount of the Net Distribution available to the MUNICIPALITY as noted above.

NOW THEREFORE, the MUNICIPALITY directs the FUND to distribute the MUNICIPALITY's share of its Net Distribution as follows (**check the one box that applies**):

- Apply the full amount as a credit to the MUNICIPALITY's next FUND Year premium
- Apply the full amount to the MUNICIPALITY's share of the FUND's Aggregate Excess Loss Contingency Fund.
- Distribute the full amount among options 1, 2, 3 as follows:

Option 1 - \$ _____, Option 2 - \$27,005.00 Option 3 - \$ _____.

#R130-2012 Authorize Tax Refunds

#R130-2012

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved and made amendments to utility and/or tax accounts as follows:

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
4121-3	Reichert	200 Lakeview	1,103.06	Tax	Refund O/P to Downtown Abst	Rosie
3106-9	Sacco	531 Bellevue Ave.	1,074.42	Water	Refund O/P	Rosie

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Tax Collector's actions are approved.

#R131-2012 Authorize Refunds Planning Board Escrow

#R131-2012

A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING VARIOUS REFUNDS

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the following refunds are authorized as approved by the respective Department Heads of the Town of Hammonton:

Cricket Communications	Refund Escrow PB1110	\$272.50
Cricket Communications	Refund Escrow PB1119	\$480.75

#R132-2012 Approve Transfer of Funds

#R 132-2012

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

CM 12/17/12

BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the budget appropriations **with an effective date of December 17,2012:**

FROM: IN CAP Police S&W(2-01-25-119-100)	\$5,200.00
TO: IN CAP Radio S&W(2-01-25-120-100)	\$3,800.00
TO: IN CAP Group Ins.(2-01-23-114-200)	\$1,400.00
FROM: IN CAP Highway S&W (2-01-26-123-100)	\$31,245.39
TO: IN CAP Group Ins. (2-01-23-114-200)	\$31,245.39
FROM: IN CAP Municipal Court S&W (2-01-43-201-100)	\$8,520.26
TO: IN CAP Group Ins. (2-01-23-114-200)	\$8,520.26
FROM: IN CAP Other Code S&W (2-01-22-127-100)	\$1,342.40
TO: IN CAP Group Ins. (2-01-23-114-200)	\$1,342.40
FROM: IN CAP Recreation S&W (2-01-28-131-100)	\$1,770.71
TO: Group Ins. (2-01-23-114-200)	\$1,770.71
FROM: IN CAP Assessor S&W (2-01-20-104-100)	\$ 120.72
TO: Group Ins. (2-01-23-114-200)	\$ 120.72
FROM: IN CAP Engineering O&E (2-01-20-107-200)	\$2,000.00
TO: Highway OE (2-01-26-123-200)	\$2,000.00
FROM: IN CAP Social Security (2-01-36-145-200)	\$10,284.15
TO: Group Ins. (2-01-23-114-200)	\$10,284.15
FROM: IN CAP Engineering O&E (2-01-20-107-200)	\$ 300.00
TO: Airport OE (2-01-30-137-200)	\$ 300.00
FROM: IN CAP Legal O&E (2-01-20-106-200)	\$ 1,017.00

TO: Court OE (2-01-43-201-200)	\$ 1,017.00
FROM: IN CAP Parks Comm. O&E (2-01-28-130-200)	\$ 1,200.00
TO: Parks Comm S&W (2-01-28-130-100)	\$ 1,200.00

#R133-2012 Approve Change Orders Stockton

#R133-2012

RESOLUTION AUTHORIZING CHANGE ORDER # 8 TO THE CONTRACT WITH MJJ CONSTRUCTION LLC FOR THE STOCKTON COLLEGE AT HAMMONTON PROJECT

WHEREAS, the Town of Hammonton did, on the date of July 2, 2012, enter into a contract with MJJ Construction LLC. for the purpose of renovating the building owned by the Town of Hammonton situate at 24-30-Front Street, Town of Hammonton in the amount of \$2,499,998.50 for the project known as the Stockton College Hammonton Campus (hereinafter referred to as "The Project"); and

WHEREAS, the Town of Hammonton has previously approved change orders #'s 1-7 for The Project totaling \$859,508.00 which thereby increased the contract amount to \$3,359,506.50; and

WHEREAS, it has now been determined that the contract must be further amended to provide for an adjustment to reflect the items set forth in change order # 8, a summary of which is attached hereto as **Exhibit A**, in the amount of \$142,956.00 which, if approved, shall increase the total change orders for this Project to the amount of \$1,002,464.00; and

WHEREAS, these proposed change orders will result in aggregate change orders for this project to be in excess of the 20% limit for change orders as set forth in the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. and the New Jersey Administrative Code (N.J.A.C. 5:30-11.3 et seq.)

WHEREAS, N.J.A.C. 5:30-11.9 requires the following submissions in those circumstances where the aggregate change orders exceed 20% of the contract amount:

- 1) a written certification by the contractor containing the following:
 - i) an explanation of the factual circumstances which necessitate issuance of the change order;
 - ii) a statement indicating why these circumstances could not have been foreseen;
 - iii) a statement indicating why issuance of the change order would be in the best interests of the Town of Hammonton and would not constitute an abuse of these rules;
 - iv) if the nature of the change order is technical, the certification shall include a certified statement from the contractor's appropriate expert, such as an engineer or architect;
- 2) a request from the chief executive officer, in this case the Town Administrator, or his designee, to the governing body requesting the change order and explaining why this change order may be allowed pursuant to this provision; and

WHEREAS, a certification is attached hereto to reflect the availability of funds;

NOW THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, has satisfied itself that the above criteria have been met and therefore hereby approve an amendment to the contract awarded to MJJ Construction LLC for the project known as Stockton College Hammonton Campus, to increase the contract in the amount of \$142,956.00 as a result of approving change order # 8; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk of the Town of Hammonton are authorized to execute all necessary documentation on behalf of the Town of Hammonton: and

BE IT FURTHER RESOLVED THAT the Clerk for the Town of Hammonton is authorized to publish a notice of this action in the Town's official newspaper indicating the additional amount to be expended, the original contract price, the nature of the original and additional work authorized by the within resolution and why it is necessary to expend the additional funds; and

BE IT FURTHER RESOLVED THAT the said Clerk for the Town of Hammonton shall report this action to the Division of Local Government Affairs of the Department of Community Affairs of the State of New Jersey in its annual audit.

Stockton Project Hammonton
Change Orders as of 12.17.12

C.O.#	Purpose	Amount	Architect C.O.#
8	Light Fixtures Throughout Bldg	\$ 60,187.00	CO # 8
8	Soil Removal from Site	\$ 82,769.00	CO#8

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, resolutions 126-133 are adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Mark Santora – Old Forks Road

Mr. Santora questioned who from Pinelands will attend Pulte Meeting scheduled for January to which the Town Solicitor responded.

Rock Colasurdo – Airport Administrator

Mr. Colasurdo announced the resignation of Nort Davis from Airport Committee. He thanked the Highway Department specifically Mr. Barberio and Alex for their work with Airport Equipment. He advised of new tenant and other Airport Matters including proposed flight school.

Linda Goff – 13th Street

Ms. Goff thanked everyone for their help in rectifying the Leo Park issue. She thanked council for authorizing the interlocal agreement for salt brine. She requested double yellow no passing lines be drawn on 13th Street.

Mayor DiDonato referred to Jerry Barberio, PWM/BA, Chief Robert Jones and Bob Vettese of ARH.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk