

Regular Meeting of Mayor and Council – November 28, 2011  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

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

PRESENT ALSO

Brian Howell, Town Solicitor

#R108A-2011 Executive Session

#R 108A-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. Unpaid Sick Leave of Absence Request-Radio Department Employee
2. Medical Status/Employment Duties-Police Department Employee
3. Officer Percodani – Legal Representation
4. Rescue Squad – Vehicle Transfer

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 Rodio, seconded by Councilperson Esposito, the resolution 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 carried.

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

Joseph Ingemi – Pleasant Street

Mr. Ingemi posed several questions concerning form based code ordinance which appears on agenda this evening.

Solicitor advised there will be a public hearing for this ordinance later on the agenda.

APPROVAL OF MINUTES

Executive Session – October 24, 2011  
Regular Meeting October 24, 2011

Motion by Councilperson Barberio, seconded by Councilperson Torrissi, the minutes be approved.

ROLL CALL

Councilpersons:  
Barberio - Yes  
Esposito - Yes  
Gribbin – Yes (Abstain on executive session only)  
Pullia - Yes  
Rodio - Yes  
Torrissi - Yes  
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Public Hearing ACO

Mr. Joseph Pantalone of ARH Town Engineer was present to advise the public that this hearing is required by DEP due to the Town of Hammonton making an amendment in the radium remediation schedule. He reviewed the new schedule with the Mayor and Council.

No one from public desired to be heard.

1A. Solar Presentation

Dr. Fiera of Omni gave a presentation on the proposed solar installation at the Hammonton Wastewater Treatment Plant.

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, award solar installation contract to Barrier Electric with amendments.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Hearing Ordinance #020-2011 Fixing Salaries of Certain Employees

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

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 carried.

3. Hearing Ordinance #021-2011 Consolidating Water & Sewer Funds & Accounts

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

No one desired to be heard.

Motion by Councilperson Barberio, seconded by Councilperson Pullia, 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 carried.

4. Hearing Ordinance #022-2011 Amending Article IV, Chapter 275, Water Conservation

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

Yuli Chew – Rocco Drive

Mr. Chew objected to the ordinance being too prescriptive.

Mayor DiDonato once again advised the public that the DEP is requiring the Town of Hammonton to enforce this ordinance. He responded to several of Mr. Chew's allegations concerning the proposed ordinance and pointed out that any professional landscaper would advise a homeowner to water early or later in the day as mid day will use more water. He stressed that water is one of the largest commodities world wide and we must conserve for future generations.

Dr. Hozik

Dr. Hozik stated he has a problem with watering between 6-9 am in the morning even though he agrees we should not water at 12 noon.

Mayor advised council can take this recommendation back to DEP and felt they would be agreeable to this amendment.

Councilman Torrissi agreed he feels this ordinance is too restrictive but also understands if we do not adopt this ordinance we will end up with a water moratorium which will be much worse for the Town.

June Wroblewski – Forrest Drive

Mrs. Wroblewski questioned will this ordinance affect private wells?

Mayor responded, yes, because private wells still draw from the same aquifer.

Rock Colasurdo – Boyer Avenue

Mr. Colasurdo suggested Council ask NJ DEP to consider Hammonton is putting water back into the aquifer by way of our slit trenches.

Mark Santora – Old Forks Road

Mr. Santora suggested educating residents on planting shrubs that require less water.

Richard Byrne – Jamestown Blvd.

Mr. Byrne questioned the time limit on watering applying per zone or system?

Council responded, per zone.

Motion by Councilperson Esposito, seconded by Councilperson Barberio, the hearing be closed, the ordinance pass second reading and be adopted with proposed amendments if the amendments are approved by NJ DEP.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

5. Hearing Ordinance #023-2011 Amending Certain Sections Chapter 175 Form Based Code

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

Joseph Ingemi – Pleasant Street

Mr. Ingemi posed several questions concerning the proposed form based code ordinance to which Mayor and Council responded.

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

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - No

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Mayor DiDonato asked Councilman Torrissi to share with public why he voted no on this ordinance when he was a member of the committee to review the form based code?

Councilman Torrissi thanked Mayor for placing him on committee however he felt the ordinance was still too restrictive.

6. Hearing Ordinance #024-2011 Amending Redevelopment Plan of the Town of Hammonton

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

No one desired to be heard.

Motion by Councilperson Gribbin, 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 carried.

COMMITTEE REPORTS

Administration -Councilperson Barberio

Deferred report to action items under New Business this evening

Business & Industry-Councilperson Gribbin

The Town Tree Lighting ceremony and carriage rides will take place on Friday, December 2<sup>nd</sup> from 6 PM to 9 PM.

The Annual Fireman's Christmas Parade will take place on Saturday, December 10<sup>th</sup> starting at 7 PM.

Education-Councilperson Gribbin

On Thursday, November 17<sup>th</sup>, Councilman Gribbin attended the Hammonton Board of Education's Regular School Board Meeting. Numerous 3<sup>rd</sup> and 4<sup>th</sup> grade students were honored for their perfect score achievements on the New Jersey Assessment of Skills and Knowledge tests.

Also, the School District is no longer being monitored by the New Jersey Quality Single Accountability Continuum. The NJQSAC is the Department of Education's monitoring and evaluation system for public school districts. It is a comprehensive accountability system that consolidates and incorporates the monitoring requirements of applicable state laws and programs and complements federally required improvements. The system focuses on monitoring and evaluating school districts in five key components:

- Instruction and program;
- Personnel;
- Fiscal management;
- Operations; and
- Governance.

The NJQSAC also addresses the mandates of the federal legislation and state regulations. Our school district has completed its review period and the District's Statement of Assurance has been accepted by the Department of Education.

Finally, Mayor and Council recently received an email from Mr. Dennis Mahon, a resident of Northfield, NJ, who is working with State Senator Mike Doherty to garner support for his bill: Resolution No. 162. This bill, referred to as the "Fair School Funding Bill," proposes an amendment to the New Jersey Constitution which provides for the maintenance and support of a thorough and efficient system of free public schools by appropriating the net receipts from the gross income tax to school districts on a per pupil basis. Essentially, the bill seeks to split school aid equally throughout the state, regardless of school district, to \$7,500 per child.

This email was sent to Mayor and Council last Tuesday and, just today, Council has been asked to pass a motion in support of this bill. Councilman Gribbin stated that Council should hold off on making any such motion until all of Council has had the opportunity to read the bill, fully understand the implications of the bill and how the state would fund all of its school districts. Councilman Gribbin suggested that any action on this be tabled until December's meeting.

Public Works & Transportation-Councilperson Rodio

Defer action items to Engineer report

Report trash pickup will continue on normal schedule after Thanksgiving and trash truck has been repaired

Thanked residents for patience during this time and advised approximate \$5000 savings on "in-house" repair of truck  
Leaf pickup will continue on normal schedule

Law & Order-Mayor DiDonato

Meeting with Chief to discuss personnel and shifts

Quality of Life – Councilperson Esposito

Report on Lake Quality meeting and clean flow system repair

Water & Sewer – Councilperson Pullia

Solar action item already addressed

Update on radium under presentation

Report on sink hole on Central Avenue (thanked Municipal Utility Dept Employees for repair)

ENGINEER REPORT

**SEWER & WATER ACTION ITEMS**

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

Filter Media Re-Bid:

At the last Council meeting, the results of the re-bid were disclosed. The only bid was received from Water Remediation Technologies LLC (WRT). Per the recommendation from ARH and the Solicitor, Council awarded the contract conditioned upon clarification of the agreement attached to the bidding documents. Between Council meetings, discussion was held with WRT to resolve certain issues in the contract that would cover the relationship between the two parties during the ten year life of the project. All but a few items remain unresolved and dependent upon revised language to ultimately be approved by the Town Solicitor. We anticipate that the language will be satisfactory to both parties and shortly we will request that the Mayor execute the contracts. The resolution of the media purchase sets the stage for the design of the equipment associated with treatment of radium at the subject wells. Please keep in mind that the expense of the media purchase does not take affect until the equipment is installed and operational.

ACO Status:

As mentioned above, the next step now that the media bid is finalized, a design for submission to NJDEP must commence to achieve the revised ACO schedule which is repeated as follows:

- a) Submit to the Department's Bureau of Water Systems and Well Permitting an administratively complete permit application for construction of treatment facilities no later than January 1, 2012.
- b) Begin Construction of treatment facilities: no later than April 1, 2012.
- c) Complete construction and commence operation of treatment facilities: no later than April 1, 2013.
- d) Comply with Gross Alpha and Radium 226 & 228 MCLs: no later than May 1, 2013.

In accordance with ACO requirements, on the night of the meeting a public hearing will be conducted to update the residents on the revised schedule and plan of activity.

Design Contract:

Attached hereto is the ARH proposal for the design and permitting of modifications to the Wells #5/#7 site for the equipment and housing of same to address the radium contamination. The Town must adopt an ordinance to appropriate the expenditure for the filter media as well as the capital improvements for the radium treatment. Also included in the upcoming ordinance will be the professional service fees. The ordinance will be introduced after the first of the year. From the existing ordinance associated with radium, a partial coverage of the engineering services contract will be awarded so that design and permitting can commence to achieve the January 1, 2012 submission time frame. The total proposal is valued at \$60,000.00 for design and permitting and \$50,000.00 for construction management for a total of \$110,000.00. The first phase appropriation for the initial design is \$24,000.00.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, award the contract to ARH for initial design services (2011) in the amount of \$24,000.00.

**ROLL CALL**

Councilpersons:  
Barberio - Yes

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

Mayor DiDonato declared the motion carried.

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

On November 14, 2011, the Town officially received authorization to advertise from NJEIT. At the last meeting, Bond Counsel was authorized to complete financial addendum documentation and prepare an ordinance for first reading to cover the cost of this program. This project is funded by NJDEP-Wellfield Remediation in the amount of \$770,000.00, which is all grant. The balance, for the most part, is covered by NJEIT which offers 75% of the remaining eligible project costs at zero percent interest and the remaining portion at half of the market rate. Additionally, there is an opportunity at the end of the project that 20% from NJEIT could be eligible for loan forgiveness. The attractive financing opportunity allows this project to be pursued.

The ordinance has been prepared by Bond Counsel and is on the meeting agenda for first reading. The value of the ordinance is \$4.6 million. As a reminder, to retain eligibility in this funding cycle, the project must be awarded by January 13, 2012. Furthermore, a condition of retaining funding eligibility requires that the Town enter into a Professional Service Contract with the Engineer, Auditor and Solicitor prior to the award of contract. It is our recommendation to authorize the Professional Services Contracts to proceed with compliance to the NJEIT program requirements, therefore authorizing the contracts in the following amounts:

Auditor = \$5,000.00  
Solicitor = \$15,000.00  
Engineer/Construction Management/Trust Administration = \$133,000.00

*\*Note: although the contracts will be awarded for the purposes of fulfilling Trust requirements, work on this project by these professionals will not occur until the ordinance is adopted and funds are available.*

Refer to New Business for resolution.

**PUBLIC WORKS ACTION ITEMS**

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

We have discussed the bids received with representatives from the Atlantic County Improvement Authority (ACIA). It was indicated that they expect to receive their notice regarding funding allotment in early December. If the funding notice is received by the Town shortly, an award will be considered for the December Council meeting. As stipulated last meeting, the low bid was received from Arawak Paving from Hammonton in the amount of \$268,899.80.

1. Introduction of budgetary amendments establishing the mechanism to receive the funds for the 2011 CDBG Road Program, totaling \$261,767.00.
2. Authorization to re-appropriate \$7,302.86 from Ordinance #6-06 to be used for the 2011 CDBG Road Program.
3. Adoption of accompanying Resolution authorizing the Mayor to sign the intergovernmental agreement between the Town of Hammonton and the ACIA related to project participation and funding eligibility.

Refer to New Business.

**4. Estrada Site Plan, 12 Street (ARH #11-20178):**

A request was made by the Applicant, Alfonso Estrada, related to the issuance of a Temporary Certificate of Occupancy for the above noted site. A request for a release or reduction of the Project Performance Bond Letter of Credit was also made. On Saturday, November 12, 2011, an onsite inspection was conducted by the Quality of Life Committee. A representative of the owner was also present at the meeting and it was indicated that they desire to open the store in late November or early December. The majority of the site improvements have been completed but there are some items which still must be addressed. A letter dated 11/17/11 noting these items of concern was directed to the Applicant. The following recommendation is made to Council related to the Applicant's request.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, authorize issuance of TCO for the property subject to compliance with the conditions noted in the letter dated 11/17/11 from the Town Engineer and compliance with any items required by the Town Construction Code Official.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, authorize release of the Letter of Credit for Performance #10008594813 dated 12/3/10 as provided by Susquehanna Bank subject to comply with the following conditions:

- a. Posting of a Project Maintenance Bond in a form acceptable to the Town Solicitor and Risk Manager in an amount equal to \$27,660.00. This would remain in effect for a period of 2 years from the date of the posting and acceptance.
- b. The Planning Board escrow account be replenished in an amount equal to \$1,200 to cover the costs of inspections, reports, etc. associated with the application.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**5. Fiesta Mexicana Site Plan (ARH #11-23056):**

A request has been received from the applicant's bond agency related to release of the Project Maintenance Bond. We reviewed our files and conducted a final inspection with the Quality of Life Committee on Saturday, November 12<sup>th</sup>. It appears that all items noted as conditions for the Performance

Bond release approved by Council on 8/24/09 have been satisfied. A Maintenance Bond #70198374 was posted by Western Surety Company back on October 15, 2009 in the amount of \$79,665.00.

Motion by Councilperson Esposito, seconded by Councilperson Torrissi,

1. Release of the Project Maintenance Bond #70198374 posted by Western Surety Company in the amount of \$79,665.00.
2. Release of any remaining escrow after the final bill submitted this month is paid.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**6. Walden Commons 11<sup>th</sup> Street (ARH #11-10003):**

A request for Project Performance Bond reduction was made by the project applicant/developer. An onsite inspection was conducted with the Quality of Life Committee on Saturday, November 12, 2011. After review of the site improvements and discussions related to same, a recommendation for a reduction for a portion of the Project Performance Bond will be provided for Council's consideration. It is important to note that substantial improvements have been made to the site related to cleaning of the onsite stormwater recharge system, adjustments to the rear basin overflow structure and site stabilization from earlier this year. The Quality of Life Committee suggested that only a 20% of the portion of the Performance Bond associated with the storm water recharge basin construction be released at this time until the basin's performance is monitored over the next year and subsequent rain events. A recommendation for the following action is made for Council's consideration.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, authorize reduction of Project Performance Bond #5037612 provided by Bond Safeguard Insurance Company dated May 2, 2011 in the amount of \$481,762.00 to \$174, 859.50 which represents approximately 36% of the original total project Bond amount.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

**7. Fiscal Year 2012, NJDOT, Federal Aid Safe Routes to School Program:**

We have attached a letter dated September 28, 2011 from Mr. James S. Simpson, NJDOT Commissioner. The State is seeking applications for their Safe Routes to Schools (SRTS) program. The objectives of the program are noted in the letter. Applications must be completed under their SAGE program similar to the

municipal aid applications. Should the Mayor and Town Council be interested in submitting an application, we would estimate the cost to be \$1,200. One area for consideration may be to complete an application similar to that which was submitted a few years ago which includes various roadway sections where sidewalk is missing on the following streets leading to school sites:

1. North Street
2. Fourth Street
3. Walnut Street towards Old Forks Road
4. Tilton Street
5. Fairview Avenue

We will be guided by Council's direction on this matter. It would be beneficial to discuss this program, with the Police Department and the School Officials to gain letter of support. All applications must be submitted by December 30, 2011. Therefore, if the Town is interested in having an application submitted, an authorization to proceed should be made this meeting.

Motion by Councilperson Barberio, seconded by Councilperson Esposito, authorize ARH to proceed an approval of the proposal totaling \$1,200.00.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

8. **Stockton College Parcel Property Remedial Investigation/ Action – Front Street (ARH #11-40042):**  
As authorized by Council, ARH is continuing work onsite in conjunction with our original proposal. As requested, ARH also prepared a proposal to the Town on October 6<sup>th</sup> for completion of the additional tasks for consideration by the PWTC totaling \$5,975.00. Most recently, excavation/removal of contaminated soils was conducted on October 11<sup>th</sup>. We understand that the proposal will be forwarded to Stockton College for approval consideration and if accepted, ARH will be authorized to proceed.

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, authorize ARH to complete the environmental investigation work as outlined in the attached proposal totaling \$5,975.00 contingent upon Stockton approval to be funded by Stockton at no cost to the Town.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

**SEWER & WATER INFORMATIONAL ITEMS:**

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

As all are aware, there are two remaining conditions associated with the increase of monthly and annual diversion rights regarding the Town's allocation. One of the conditions is the passage of a more restrictive water conservation ordinance. First reading of the amended ordinance was held on October 24, 2011 and the second reading is scheduled for the November 28, 2011 Council meeting. The second condition involves a modification of a rate schedule which we understand will be introduced after the first of the year.

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

*As previously reported;* we have issued a punch list and close out requirements to the Contractor. We are currently waiting for all items to be addressed. Until the Contractor produces the required documentation and finishes the remaining outstanding items we are unable to close out this Contract. *Since the last reporting period;* the Contractor has discussed the project with our office, we reiterated the need to close out the project and have all punch list issues addressed. We are still waiting for the contractor to complete same at this juncture.

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

This will be discussed under the Town Solicitor's report and should be introduced for first reading.

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

We have completed the revisions as requested and will be reviewing same with the PWTC.

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

The progress report as prepared by Omni Environmental that outlines the status of max loading of the trenches over the past two years as well as the projection for drip irrigation on the balance of the site including the recreational fields was submitted to Pinelands and NJDEP on November 1, 2011. We await feedback from these agencies.

**PUBLIC WORKS INFORMATION ITEMS**

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

As requested by Council, we are preparing a scope of work and cost estimate to complete the tax map work required as part of the property revaluation process. We will be meeting with representatives of Council and the Solicitor to discuss same within the next week. Funds required to complete this task will need to be established within the 2012 municipal budget.

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

As previously reported, the NJDOT has announced they will be receiving applications for the Multimodal Grant program. As authorized, our office worked with L.R. Kimball to submit an application for a new taxiway and runway lighting system.

It is anticipated NJDOT will announce award allotments in early 2012.

**16. Municipal Aid Applications (ARH #11-40041): - No Status Change**

As previously reported, the NJDOT has announced they will be receiving applications for Municipal Aid, Bikeway and Safe Streets to Transit programs. As authorized we have applied for the following projects:

Municipal Aid – Pratt Street from Egg Harbor Road to Tilton Street

Bikeways – Phase I to provide a link from NJTRANSIT Train Station to the Lake Park. Phase I would utilize existing ROW and easements to extend from Eleventh Street to the Veterans Place rail road crossing.

Safe Streets to Transit – This would extend decorative sidewalk from Historic Train Station to Peach Street. Along with sidewalk along Front Street between Passmore Avenue and Line Street on the Fire Station side.

It is anticipated NJDOT will announce award allotments in 2012.

**17. Boyer Avenue Recreation Complex (ARH #11-75003):**

*Contract #1:* Bids were received on November 17, 2011; the Town had nine bidders submit prices for this project. The low bid was approximately \$1.5 Million. It was our understanding the Town had \$1.05 Million available in the form of a low interest loan from the Green Acres Program. We had issued a recommendation to reject the bids, however as discussed with PWTC, we will hold off on the recommendation at this time, until options for additional funding are further pursued by Council.

*Contract #2:* Irrigation will be bid as part of Contract #2. Our office is preparing a design/build approach to this contract. Irrigation originally was not part of our contract. We will prepare a proposal for the preparation of plans and specifications for the public bid and construction management of Contract #2. Once prepared, this will be discussed with PWTC.

Our office has been working to submit to the following agencies:

- Pinelands for approval to drip irrigate- to be submitted as soon as prepared.
- TWA for approval to drip irrigate - to be submitted as soon as prepared.

**18. Drainage Projects: Anderson Avenue (ARH #11-60208.01), Lakeshore and White Horse Pike (ARH #11-60202.03), Jacobs Street/First Road Intersection (ARH #11-60207.01):**

The majority of the field data has been collected for the Lakeshore Drive and White Horse Pike, along with the Jacobs Street/First Road intersection. Base plans have been plotted and we are working on some preliminary conceptual design plans. We will also review the elevations and locations gathered thus far for the Anderson Avenue area with the PWTC.

**19. Berenato/Cioffi Second Road Property (ARH #11-01083.02):**

We will be meeting with the PWTC to review the project status and items for further consideration.

**20. Myrtle Street Pinelands Application (ARH #11-01000):**

We will be requesting the Commission to allow the Town to consider a postponement on submission of a formal application to them related to this matter until next year. We will also be preparing a proposal for Council's consideration to make the required submission to the Pinelands. We will be discussing same with the PWTC before proceeding further.

**21. Atlantic County Recreation and Open Space Funds (ARH #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 still may wish to purchase, in order to maintain the funding allotment. There have been some general discussions about possibly requesting a reallocation of the present acquisition funds for use in construction of the fields at the Boyer Avenue site rather than the purchase of additional ground. We will await Council's direction and be available to discuss this project with the PWTC and Solicitor as directed.

Solar RFP Award

Taken up under dispense with regular order of business.

Rescue Squad Emergency Vehicle Transfer

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, authorize Solicitor process paperwork for transfer of rescue vehicle to the Town of Hammonton and authorize trial lease for one month pending grant approval and loan subject to terms and conditions as outlined by the Town Solicitor.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Emergency Expenditure

Motion by Councilperson Pullia, seconded by Councilperson Rodio, approve emergency expenditure to G-Boys Excavating in the amount of \$31,500.00 in which a purchase order was issued prior to this meeting due to safety, health and welfare of the public.

Mayor advised that the Board of Freeholders will issue a check to the Town of Hammonton in an approximate amount of \$17,000.00 to cover their agreed share of this project.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Pinelands Clustering Ordinance (for council review and discussion at future meeting)

Ordinance Amend Chapter 226 to be introduced at future meeting

Traditions at Blueberry Ridge (report of clay found and remediation report forthcoming)

Authorize Counsel Representation - Police Officer

Motion by Councilperson Pullia, seconded by Councilperson Barberio, authorize Jacobs & Barbone to represent Officer Percodani at an hourly rate of \$125.00 not to exceed \$2500.00, as negotiated by Solicitor.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Welcome State Police who are moving into Hammonton Municipal Airport on December 1<sup>st</sup>

TOWN CLERK REPORT

1. Authorize Hire Temporary Truck Drivers "snow removal" Between Meetings \$25 hr "as needed"
2. Approve Unpaid 3 month Sick Leave of Absence Teresa Bradbury to pay \$183.90 toward her health benefits
3. Confirmation of hiring Shanna Abbot p.t. dispatcher eff 8/22/11 approved at previous meeting
4. Accept resignation Stew Mazza eff 12/1/11
5. Accept resignation/retirement Jesus Torres Perez eff 1/1/12 and authorize payment \$207.67 (vac)
6. Accept resignation/retirement Larry Bradbury eff 1/1/12 and authorize payment \$11,071.39 (sick,vac,pers)
7. Reinstate Chris Ballin Fire Co. 1
8. Approve new junior member Eddie Shepard Fire Co. 2
9. Approve new member Jennifer Gradia Fire Co. 1

Motion by Councilperson Barberio, seconded by Councilperson Esposito, approve Town Clerk Report items 1-9.

Councilman Rodio thanked both Larry Bradbury and Jesse Torres for their years of service and hard work with the Town of Hammonton.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, the bill list and purchase orders for November 2011 are approved.

ROLL CALL

Councilpersons:

- Barberio – Yes (recused on Triad only)

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

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #025-2011 Amending Certain Sections of Chapter 48

Ordinance # 025-2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON  
AMENDING CERTAIN SECTIONS OF CHAPTER 48 "PERSONNEL POLICIES"  
OF THE CODE OF THE TOWN OF HAMMONTON

WHEREAS, the Municipal Clerk has recommended certain amendments to Chapter 48 in light of the inclusion of the issues previously addressed by Chapter 48 in the individual bargaining unit or union contracts applicable to all employees covered by this Chapter; and

WHEREAS, the Mayor and Council of the Town of Hammonton have reviewed the recommendation and are agreeable to the amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON THAT THE FOLLOWING AMENDMENTS TO CHAPTER 48 BE ADOPTED:

Chapter 48-2 (B) is hereby repealed.

Chapter 48-2 (D) shall be replaced in its entirety with the following language: Vacation time shall be designated by individual, bargaining unit or union employment contract.

Chapter 48-3 (A) shall be replaced in its entirety with the following language: Unless designated by individual, bargaining unit or union employment contract, all full-time officers or employees of the Town of Hammonton, whether classified or unclassified under Title 11, shall be entitled to sick leave and pay of not less than one working day for each month of service during the remainder of the first calendar year of service following appointment and 15 working days in each calendar year thereafter. Such sick leave shall be accumulative.

Chapter 48-4. Compensation for work related injuries/illness shall be replaced in its entirety with the following language: To the extent not covered by State law, workers compensation benefits shall be governed by individual, bargaining unit or union employment contract.

Chapter 48-5 Police Department Sick Leave shall be replaced in its entirety with the following language: Police Department sick leave shall be designated by respective police contracts.

Chapter 48-6 (A). Death or serious illness in immediate family shall be replaced in its entirety with the following language: "Immediate family" shall be determined by individual, bargaining unit or union contract.

Chapter 48-6 (B). Leave for death in immediate family shall be replaced in its entirety with the following language: Any employee who has a death in the immediate family, as defined by their employment contract, shall receive paid funeral leave as prescribed by individual, bargaining unit or union contract.

Chapter 48-6 (C) shall be replaced in its entirety with the following language: Time off for serious illness leave for an employee's immediate family member, as prescribed by employment contract, shall be determined by individual, bargaining unit or union contract and shall require a doctor's note attesting to the illness of the employee's immediate family member being life threatening.

Chapter 48-7. Personal Days shall be replaced in its entirety with the following language: Employees of the Town of Hammonton shall be designated personal days as designed by individual, bargaining unit or union contract.

Chapter 48-16. is hereby repealed.

BE IT FURTHER RESOLVED to the extent not inconsistent herewith, all other sections of this chapter shall remain in full force and effect.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, the ordinance be taken up for 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 carried.

Ordinance #026-2011 Bond Ordinance Northwest Water Main Project

Ordinance #026-2011

BOND ORDINANCE PROVIDING FOR THE NORTHWEST WATER MAIN PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$4,600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,600,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"). For the improvement or purpose described in Section 3, there is hereby appropriated the sum of \$4,600,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c), as this bond ordinance authorizes obligations solely for a purpose described in N.J.S.A. 40A:2-7(d) as more fully described in Section 6(e) herein and, in the event the Town receives a forgivable loan from NJEIT as described in Section 7 herein, such forgivable loan will be treated as a grant for purposes of N.J.S.A. 40A:2-11(c) and therefore no down payment is necessary.

In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$4,600,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

(a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is for the Northwest Water Main Project involving installation of a water main along portions of Basin Road, Pine Road, Oak Road & North White Horse Pike, installation of service laterals, well sealing and/or

decommissioning of the existing private wells including any documentation required to the NJDEP associated with the well sealing, including acquisition and installation of all equipment and materials and all work necessary therefore or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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.

The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,600,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$750,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

(e) This bond ordinance authorizes obligations of the Town solely for a purpose described in N.J.S.A. 40A:2-7(d). This purpose is in the public interest and is for the health, welfare, convenience or betterment of the inhabitants of the Town. The amounts to be expended for this purpose pursuant to this bond ordinance are not unreasonable or exorbitant, and the issuance of the obligations authorized by this bond ordinance will not materially impair the credit of the Town or substantially reduce its ability to pay punctually the principal of and the interest on its debts and to supply other essential public improvements and services. If required, the Local Finance Board, in the Division of Local Government Services of the Department of Community Affairs of the State of New Jersey has heretofore made a determination to this effect and has caused its consent to be endorsed upon a certified copy of this bond ordinance as passed upon first reading.

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

The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

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

The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

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

Motion by Councilperson Pullia, seconded by Councilperson Barberio, the ordinance be taken up for 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 carried.

Ordinance #027-2011 Bond Ordinance Various Road Improvements

Ordinance #027-2011  
ORDINANCE REAPPROPRIATING \$7,302.86 PROCEEDS OF  
OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN  
ORDER TO PROVIDE FOR A PORTION OF THE REPAIRS TO VARIOUS  
ROADS 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 (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$7,302.86 of the proceeds of obligations originally made available pursuant to Section 3(a) of bond ordinance #6-2006 of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") finally adopted May 22, 2006 is no longer necessary for various Town owned property improvements, as well as acquisition and improvements of municipal parking, for which the obligations previously were authorized.

Section 2. The \$7,302.86 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for repairs to various roads in the Town, together with a Community Development Block Grant in the amount of \$261,767.50.

Section 3. 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 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, the ordinance be taken up for 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 carried.

RESOLUTIONS

#R109-2011 Directing Distribution JIF Surplus Funds

RESOLUTION #109-2011  
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 2 - \$49,270.00,**

Resolution #110-2011 Refund Road Opening Application Fee

RESOLUTION #110-2011

RESOLUTION AUTHORIZING REFUND FOR  
ROAD OPENING APPLICATION FEE

WHEREAS, SJ Gas has paid \$150.00 for roadway opening application #ST00027-11 for Egg Harbor Road; and

WHEREAS, it has been determined by the Town Engineer that the portion of Egg Harbor Road to be opened is under the jurisdiction of Atlantic County;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that SJ Gas be refunded \$150.00 for roadway opening application #ST00027-11.

Resolution #111-2011 Renew 2011-12 Liquor License-Anthony Parker

R# 111 -2011

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,  
ATLANTIC COUNTY, NEW JERSEY,  
AUTHORIZING THE ISSUANCE OF ABC LICENSES  
For 2011/12 License Term

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:

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

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:

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 this resolution contingent upon all state requirements being met and approved by the Town Clerk; and

BE IT FURTHER RESOLVED that pursuant to NJSA 33:1-12.39 the Special Ruling Granted by the Division of Alcoholic Beverage Control, the Mayor and Council authorize renewal of 2011-2012 license term.

Resolution #112-2011 Approve Our Lady of Guadalupe Spanish Procession & Road Closure

RESOLUTION # 112 -2011

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL  
"OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION"

WHEREAS, St. Mary of Mt. Carmel continues to promote the Town of Hammonton with their annual "Our Lady of Guadalupe Spanish Community Procession"; and

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

WHEREAS, **December 11, 2011 at 12:00 noon** is the scheduled date for the Spanish Community Our Lady of Guadalupe Procession; and

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

Procession begins on Third Street at St. Mary of Mt. Carmel  
Turn left onto French Street  
Turn left onto Egg Harbor Road and proceed to St. Martins Church

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Town of Hammonton authorize "Our Lady of Guadalupe Spanish Community Procession."

Resolution #113-2011 Designate Municipal Clerk to register Charitable Clothing Bins

#R 113-2011  
A RESOLUTION DESIGNATING THE MUNICIPAL CLERK  
AS THE LOCAL AGENCY RESPONSIBLE FOR REGISTERING CHARITABLE CLOTHING BINS  
IN THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 40:48-2.60 et seq requires a municipality to designate a municipal agency to register donation clothing bins located within the municipality; and

WHEREAS, the said designated municipal agent shall be empowered to issue permits authorizing donation clothing bins subject to verification that the requirements of the aforesaid statutes have been met; and

WHEREAS, the governing body believes that the Municipal Clerk is the most appropriate office to administer issuance of permits of this nature; and

WHEREAS, donation clothing bins serve a valuable community purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that the Municipal Clerk is hereby designated as the municipal agency authorized to issue permits for an otherwise administer the regulations pertaining to donation clothing bins within the Town of Hammonton.

BE IT FURTHER RESOLVED, that the Town of Hammonton has determined that it shall not charge a fee for the registration of donation clothing bins given the important community function that they serve; and

BE IT FURTHER RESOLVED, that the permit issued for donation clothing bins shall expire on August 1<sup>st</sup> of each year (to coincide with the renewal date of the Town of Hammonton Business Registration License).

Resolution #114-2011 Authorize Interlocal Service Agreement Community Development Block Grant

#R114-2011  
RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
WITH ATLANTIC COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Town of Hammonton has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY 2011; and

WHEREAS, as a participant, the Town of Hammonton expects to be allocated \$117,204.00 for Fiscal Year(s) 2011 for the project known as Street Improvements (as Per attached application); and

WHEREAS, in order to be allocated CDBG funds, the Town of Hammonton must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and Municipal Clerk are authorized to sign said agreement.

Resolution #115-2011 Transfer Resolution

#R 115-2011

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

BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the budget appropriations:

FROM: IN CAP		
Disability OE (1-01-23-148-200)		\$5,204.57
TO: IN CAP		
Prosecutor OE(1-01-25-123-200)		\$2,204.57
TO: IN CAP		
Insurance OE (1-01-23-115-200)		\$200.00
TO: IN CAP		
Legal OE(1-01-20-106-200)		\$2,800.00
FROM: IN CAP		
Police S&W (1-01-25-119-100)		\$20,174.66
TO: IN CAP		
Highway OE(1-01-26-123-200)		\$15,000.00
TO: IN CAP		
Legal OE(1-01-20-106-200)		\$5,000.00
TO: IN CAP		
DCRP OE(1-01-36-149-200)		\$52.00
TO: IN CAP		
Assessment S&W(1-01-20-104-200)		\$122.66

Resolution #116-2011 Authorize Interlocal Service Agreement Housing Rehab Program

#R116-2011

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
WITH ATLANTIC COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Town of Hammonton has opted to participate in the ACIA Housing Rehabilitation Program; and

WHEREAS, in order to participate in the program, the Town of Hammonton must enter into an interlocal service agreement with the Atlantic County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and Municipal Clerk are authorized to sign said agreement.

Resolution #117-2011 Approve Tax and Utility Account Amendments

#R 117-2011

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
4901-21.02	Sulzner, E	96 Centennial Dr	57.73	Tax	Assessor's Appeal	MaryJo
5502-9	Gatto, J	750 Pleasant Mills	1,281.96	Tax	Refund overpayment	Rosie
Group	Group	Group	1,715.15	sewer	Sewer acct. owes Water acct.	Rosie
Group	Group	Group	246.59	water	Water acct. owes Sewer acct.	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.

Resolution #118-2011 Amend Capital Budget NW Water Main Project

TOWN OF HAMMONTON  
CAPITAL BUDGET AMENDMENT  
RESOLUTION #118-2011

WHEREAS, the local capital budget for the year 2011 was adopted on the 23rd day of May, 2011; 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:

Water Utility Capital Fund

	<i>Debt</i>	
1) <u>Purpose</u>	<u>Total</u>	<u>Authorized</u>
Northwest Water Main Project/NJEIT	\$ <u>4,600,000</u>	\$ <u>4,600,000</u>

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.

Resolution #119-2011 Amend Capital Budget-Road Improvements

TOWN OF HAMMONTON  
CAPITAL BUDGET AMENDMENT  
RESOLUTION #119-2011



Engineer (Adams, Rehmann & Heggan) \$133,000.00 (construction management only)  
Auditor (Bowman & Company) \$5,000.00  
Solicitor (Brian G. Howell) \$15,000.00

BE IT FURTHER RESOLVED, that executed copies of these agreements be forwarded to the New Jersey Environmental Infrastructure Trust Program

Resolution #121-2011 Authorize Clerk to prepare involuntary disability retirement

Resolution # 121 -2011

AUTHORIZATION FOR THE TOWN OF HAMMONTON STAFF TO PROCESS  
AN INVOLUNTARY DISABILITY RETIREMENT APPLICATION

WHEREAS, the Town of Hammonton has employed a Police Officer at its Hammonton Police Department; and

WHEREAS, the Police Officer is an active member of the PFRS; and

WHEREAS, the Police Officer has 23 years and three months of PFRS Service Credit, meeting the minimum service credit requirement of at least 4 years for PFRS and SPRS members; and

WHEREAS, the Town of Hammonton staff is of the opinion that the Police Officer is totally and permanently disabled and no longer can perform his assigned duties based on the documentation supplied by professionals retained by the Town of Hammonton; and

WHEREAS, the Town of Hammonton is unable to provide an alternative to the PFRS covered position with duties capable of being performed by said Police Officer; and

WHEREAS, the Town of Hammonton Police Chief has consented to the processing of the Involuntary Disability Retirement application;

NOW, THEREFORE, BE IT RESOLVED BY the Mayor and Council of the Town of Hammonton that the Municipal Clerk of Hammonton process an Involuntary Disability Retirement application for the Police Officer at its Town of Hammonton Police Department; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

Resolution #122-2011 Authorize Interlocal Agreement Community Development Block Grant 2006,2009,2011

#R122-2011

RESOLUTION OF THE GOVERNING BODY OF TOWN OF HAMMONTON  
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, The Town of Hammonton has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY 2006, 2009 and 2011; and

WHEREAS, as a participant, the Town of Hammonton expects to be allocated \$261,767.50 for Fiscal Year(s) 2006, 2009, and 2011 for the project known as Street Improvements (as Per attached application); and

WHEREAS, in order to be allocated CDBG funds, the Town of Hammonton must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and Town of Hammonton which is attached hereto, is approved and the Mayor and the Municipal Clerk are authorized to sign said agreement on behalf of the Town.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, resolution 109 to 122 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 carried.

PUBLIC HEARD

Richard Byrne – Jamestown Blvd.

Mr. Byrne thanked police department for providing escort of honor for his father on veterans day.

Mark Santora – Old Forks Road

Mr. Santora posed questions concerning Traditions at Blueberry Ridge/Pulte to which Council and the Solicitor responded.

MEETING ADJOURNED

Motion by Councilperson Barberio, seconded by Councilperson Rodio, the meeting be adjourned.  
Motion carried.

April Boyer Maimone, Municipal Clerk