

9/26/11

Regular Meeting of Mayor and Council Held September 26, 2011
Town Hall Council Chambers, 100 Central Avenue, Hammonton, N.J.
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

Barberio - Present
Esposito - Present
Gribbin – Entered Late
Pullia - Present
Rodio - Present
Torrissi - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Executive Session

#R 096A-2011

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the "Open Public Meetings Act," an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Personnel-Highway Department
2. Through the fence agreement
3. Stockton bid
4. Royce Run
5. Traditions at Blueberry Ridge
6. Berenato lawsuit
7. Komis Bankruptcy
8. Layoff case 2011

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 Barberio, the resolution to enter into executive session is adopted.

ROLL CALL

Councilpersons:

Barberio - Yes
Esposito - Yes
Gribbin - Absent
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

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session of August 22, 2011
Public Session of August 22, 2011

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Honor Former Members of Council as follows:
James Garrison
William Olivo
2. Chief Robert Jones Presentation (Automatic Plate Recognize System)

3. Mayor noted that FEMA is present in the audience this evening and invited them to podium.

FEMA representatives did not wish to be heard.

COMMITTEE REPORTS

Administration -Councilperson Barberio

Report on ordinance to amend road opening fees

October 21, 2011 all purchasing will be converted to emergency purchasing and require council signature

Reported on Green Acres Meeting held in Trenton and questioned Engineer on timeline for Boyer Avenue project

Mr. Vettese of ARH Town Engineer advised he will be making a submission to green acres this week. The application consists of 4 fields at recreation facility, and additional entrance, utility extension, parking facilities, alt 1 bid for walking path, alt 2 construct interconnecting roadway between the 2 phases, alt 3 storm sewer, alt 4 complete resurfacing of all roadways. We are projecting receipt and award of bids in the month of November. However, this is all pending Pinelands approval. The next phase will be bid in January or February of 2012.

Mr. Vettese continued, with Mayor DiDonato's permission, to update council on ROSI (recreation and open space inventory) for the Town.

Authorize Mayor to sign ROSI Documents

Motion by Councilperson Barberio, seconded by Councilperson Esposito, authorize Mayor to executive ROSI documents on behalf of 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.

Business & Industry-Councilperson Gribbin

I have no action items on tonight's agenda; however, I would like to update Council with the following:

I would like to welcome another new business, Chatters Baskets, which will soon open their doors on Central Avenue. On behalf of Mayor and Council, I thank them for their investment in our community and wish them all the best.

The Greater Hammonton Chamber of Commerce's annual John W. Mazzeo Memorial Golf Tournament has been rescheduled for Wednesday, October 19th, due to the havoc wreaked on the golf course by Hurricane Irene. Golf and sponsorship opportunities are still available; please call Michelle at the Chamber for more information.

9/26/11

On Saturday, October 22nd, MainStreet Hammonton will host its 5th Annual Downtown Trick-or-Treat from 1 PM to 3 PM. If necessary, a rain date of October 29th has been set.

On Wednesday, October 26th, the Kiwanis Club of Hammonton will host its Annual Halloween Parade. Registration begins at 6 PM and the parade will start at 7 PM.

Motion to authorize the Solicitor and/or Town Clerk to draft a letter to Atlantic County Executive Dennis Levinson informing the county that Hammonton has two buildings to offer as a potential site for the new county 911 dispatch location: the Whitehall building and the Whitehall R&D building.

Authorize Solicitor to Forward Letter to Atlantic Co. Offering 911 Locations

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, authorize Solicitor to draft a letter to County Executive Dennis Levinson offering 2 possible sites located in Hammonton for future County Dispatch.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Education-Councilperson Gribbin

I have no action items on tonight's agenda, but I do have the following announcements:

On September 8th, I attended the Hammonton Board of Education's Regular School Board Meeting. The start of the new school year went smoothly and Open Houses will be starting shortly.

Also, negotiations between the School District and the NJEA are continuing and both parties are scheduled to meet with a mediator soon.

Public Works & Transportation-Councilperson Rodio

Reported on grant applications that will be addressed in full under Engineer report

Thanked citizens for their patients in highway department hurricane cleanup

Will continue brush pickup until all debris from hurricane has been collected

Reported Middle Road and Columbia Road bridges are out due to hurricane

Recognized FEMA in audience this evening, invited them to the podium to speak once again

*FEMA declined

Reminder Bulky pickup Oct 3-7

Reminder Brush pickup entire month of October

Law & Order-Mayor DiDonato

Taken up under Dispense with Police Chief presentation

Quality of Life – Councilperson Esposito

Reported on Green Day event held September 18, 2011

Reported on repair of clean flow system and cost savings to town due to help of municipal utility

Water & Sewer – Councilperson Pullia

Water Conservation ordinance to be amended in November
Combine water and sewer utility payments
Report on signed ACO and public hearing
Defer rejection of filtration bids to Engineer report
Reported that municipal water supply is now below radium parameters
Update on solar at WWTP, will be bid in October

ENGINEER REPORT

SEWER & WATER ACTION ITEMS

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

On the strategy proposed in the ARH feasibility report, bids were received on August 31, 2011 for the purchase of the filter media that would be the basis of the ultimate design for radium treatment. Only one bid was received from Water Remediation Technology (WRT).

- WRT's price on the base bid (0-5 years) was \$0.48 per 1000 gallons treated.
- They did not bid the alternate which was requesting pricing for 6-10 years.
- Their pricing for the adjustment associated with the ranges specified was \$0.07 per 1000 gallons treated.

Unfortunately, the bid values exceeded the Town's expectations and with the submission WRT inserted their own set of conditions. Due to the fact that only one bid was received and the financial arrangement with conditions was not acceptable to the Town, it is hereby our recommendation to reject the bid and rebid the contract. Correspondingly, we are seeking authorization to rebid the contract. In so doing, ARH will revise the bid specifications with the goal of achieving a more financially desirable arrangement. Certain clarifications that will be included in the rebid may assist toward this end.

As a reminder, the ACO schedule presents the following timeframes:

- a) Submit to the Department's Bureau of Water Systems and Well Permitting an administratively complete permit application for construction of treatment facilities: no later than September 1, 2011; *Due to the strategy employed and the need to reject the bid, within the third progress report, we have requested another extension to this requirement. Accordingly, if the extension is granted, the other compliance points below will be altered.*
- b) Begin Construction of treatment facilities: no later than December 1, 2011;
- c) Complete construction and commence operation of treatment facilities: no later than December 1, 2012;
- d) Comply with Gross Alpha and Radium 226 & 228 MCLs: no later than January 1, 2013.

As previously reported, we have contacted the New Jersey Environmental Infrastructure Trust (NJEIF) regarding a Planning and Design (P & D) Loan. As part of this process and inclusive in our upcoming proposal for design, ARH will complete the loan application to seek P&D funding. Initial work has begun on the P&D application. Council is again reminded that a Bond Ordinance must be adopted to fund the mandated work on this matter.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, reject bid received on August 31, 2011 and return the bidder's certified check.

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 Pullia, seconded by Councilperson Torrissi, authorize ARH to re-bid the 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.

2. **Main Road Apartments, Water Main Extension, Re-approval (11-20188.04)**

Solicitor reported on status of utility extension.

Refer to New Business for consideration of resolution.

PUBLIC WORKS ACTION ITEMS

3. **Multimodal Grant Applications (11-01053):**

The NJDOT has announced they will be receiving applications for the Multimodal Grant program. Our office is working with L.R. Kimball to submit an application for a new taxiway and runway lighting system. Applications are due September 30, 2011.

In order to submit the applications to NJDOT the Town will need to adopt a resolution authorizing the submission of the applications, and authorizing the Mayor to sign the application.

Refer to New Business for consideration of resolution.

4. **Community Development Block Grant (CDBG) Funding (11-40044)**

We are presently finalizing the construction specifications for the project including the documents required in order to comply with the ACIA, CDBG regulations. We will submit same to their program coordinator for review and seek their permission to bid. If deemed acceptable, we would like to bid the project on Thursday, October 20th or sooner, if possible. An award could be considered at the next regular Council meeting but it would have to be made subject to the final approval of the funding allotment from the ACIA. The Town will also need to establish the required funds in order to make the award recommendation possibly at the October meeting.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize ARH to advertise for the receipt of bids once the specifications are approved by the Atlantic County Improvement Authority.

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:

5. Route 54/Bellevue Avenue Utilities (ARH #11-50120): - no status change

At present time 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.

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

Last month The Town authorized Grubb Associates to perform a Phase 1B evaluation as required by NJDEP in the amount of \$5,983.00. At this writing, the evaluation was performed and the findings are in the process of being submitted. This may be the only item remaining to achieve Pre-Award approval.

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

We will be meeting with the Solicitor to discuss the recommended changes to the present Ordinance so that it may be reviewed with the PWTC and presented to Council for introduction.

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

We are in the process of addressing some areas where questions were raised and there will be follow up report to the PWTC along with a cost estimate to complete portions of the utility extension. If acceptable, we will be providing a report to Council and then prepare a proposal to proceed to the next step which would include preparing a design plan, report and application to the various agencies, such as Pinelands, NJDEP, Treatment Works, SCD, etc. related to the utility extension.

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

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

Please review the following status:

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

Omni Environmental reports that the data has been compiled and submission to the Pinelands Commission was delayed due to vacation schedules. Conclusion of this matter, will be shortly forthcoming.

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

See response to Task 1.

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

See response to Task 1.

Task #7: Water Diversion Permit activity.

On August 22, 2011 the draft of the revised Water Conservation Ordinance was submitted to NJDEP. Approval of a revised ordinance to strengthen existing measures is a condition of the Town's diversion permit to gain additional monthly and annual rights. From our last discussion with NJDEP, they are still reviewing the document. Hopefully, by the next meeting their review will be concluded at which time it will be submitted for first reading.

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

Work is ongoing on this task. Awaiting return of the Superintendent to review our findings to date.

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

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

Task #8A: Drip irrigation TWA submission.

See response to Task 8.

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

PUBLIC WORKS INFORMATION ITEMS

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

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

- Pinelands for approval to drip irrigate- not submitted part of Contract #2
- TWA for approval to drip irrigate - not submitted part of Contract #2
- Cape-Atlantic SCD - Submitted 8-11-11 // approved 8-15-11
- Atlantic County Planning - Submitted 8-16-11 // resubmitted 9-20-11
- Green Acres for pre-bid approval – not submitted as of this writing

As discussed with the recreation committee chair, we will be preparing two separate contracts, the first will concentrate on the site improvements inclusive of four new soccer fields with associated utilities, parking and access drives. The second contract will be for the irrigation system. It is intended to have the first contract bid within the next month and the second contract bid in the first quarter of 2012. The second contract will be contingent upon approvals from NJDEP - TWA and Pinelands. We will be submitting to Green Acres for pre-bid approval as soon as the bidding specifications are finalized.

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

11. Municipal Aid Applications (11-40041):

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
- Bikeway – Phase I to provide a link from NJ TRANSIT 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.

12. **Fourth Street Reconstruction (11-40034):**
The project is complete; however we are waiting for the final payment to the Contractor to be processed. Once complete we will submit to the NJDOT for final reimbursement.
13. **Drainage Projects: Anderson Avenue (11-60208.01), Lakeshore and White Horse Pike (11-60202.03), Jacobs Street/First Road Intersection (11-60207.01):**
As authorized last meeting, our field crews have begun to gather information in each of the three (3) areas designated by Council. We have also met with some of the property owners in each of the locations to obtain their opinion and observations. We will keep Council up to date as the work progresses.
14. **Myrtle Street Pinelands Application**
We received a letter from the Pinelands Commission related to their request for the Town to make a formal application to them as related to the improvements of Myrtle Street. We will be reviewing this letter with the PWTC and also request the Commission to allow the Town to consider a postponement on submission of a formal application to the Pinelands Commission until later this year. We will also be preparing a proposal for Council's consideration to make the required submission to the Pinelands. We will keep Council informed of further developments.
15. **Atlantic County Recreation and Open Space Funds (11-01070):**
As stipulated in the letter to the County late last year, the Town must proceed on completing the property appraisals, survey, legal descriptions, and environmental assessment, etc. for the properties they still wish to purchase same. The County has provided the Town with a grant to assist in this endeavor for purchase. 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.
16. **Stockton College Parcel Property Remedial Investigation Work plan – Front Street (ARH # 11-40042):**
As authorized by Council, ARH is continuing work onsite in conjunction with our prior proposal. Our office, the Town Solicitor and the Downtown Advocate have not been able to obtain information related to prior testing and reports completed by REPSG at the site for the previous owner. Since that information is critical to the evaluation and closeout of this property, ARH will be preparing a proposal to the Town next month for completion of the remaining tasks. We have submitted a detailed project status report to the Mayor, PWTC and Solicitor related to the site and we will keep Council informed of further progress.

SOLICITOR REPORT

1. COAH Fairness Hearing 10/21/11 @ 9 AM Judge Isman in Atlantic City
2. Through the fence agreement update
3. Stockton
 - a.Motion by Councilperson Barberio, seconded by Councilperson Rodio, reject low bidder (Tekton Dev. Corp.) due to failure to include a mandatory submission.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- b.Motion by Councilperson Pullia, seconded by Councilperson Gribbin, award general construction contract to Martell Const. Co. Inc. as follows:

Base Bid:	\$3,071,700.00
Alt 1:	29,000.00
Alt 4:	<u>19,500.00</u>
Total	\$3,120,200.00

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- c.Motion by Councilperson Pullia, seconded by Councilperson Gribbin, accept amendment to Hammonon Stockton MOU which increases funding by Stockton/Sasi.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

- d.Motion by Councilperson Pullia, seconded by Councilperson Gribbin, award Environmental Contract (Site Contractors Inc.) \$83,850.00

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

4. Traditions at Blueberry Ridge
5. Royce Run
6. Solar RFP dates

MAYOR REPORT

Mayor DiDonato thanked several Stockton Representatives by name for all their work and commitment to the Town as well as Brian Howell and James Donio.

TOWN CLERK REPORT

1. Schedule Trick or Treat October 31st from 5:00 p.m.-8:00 p.m.
2. Accept removal of David Gulig Fire Co. #2 Junior Member
(when junior member term expires and they do not seek full membership they are removed)
3. Award contract Automated License Plate Reader to Elsag amount \$18,272.00
Quotes Received for ALPR
Elsag \$18,272.00
General Sales \$20,406.00
4. Authorize installation of light on existing pole located at Hammonton Lake Park Pavilion
Light purchase and Installation fee \$677.00
Monthly fee for 400 watt bulb \$25.52
5. Accept resignation Bianca Hermann, Env. Comm. Secretary eff 10/13/11
6. Authorize Hiring of Robert Reitmeyer Env. Comm. Secretary at \$100.00 per mtg. eff 10/13/11
7. Authorize a fine of 5 working days in lieu of suspension (one day per pay period) and 1 year probation for Highway Truck Driver

Motion by Councilperson Barberio, seconded by Councilperson Rodio, approve town clerk report items 1-7.

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 Barberio, seconded by Councilperson Gribbin, approve bill list and purchase orders for the month of September, 2011.

ROLL CALL

Councilpersons:

Barberio - Yes

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio – Yes (recuse White Star only)

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance # 018-2011

Ordinance # 018-2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING CHAPTERS 247-14 (A) and 247-19(G) OF THE CODE OF THE TOWN OF HAMMONTON

WHEREAS, the Municipal Clerk has recommended an amendment to Chapters 247-14 (A) and 247-19(G) entitled Streets and Sidewalks; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON THAT CHAPTERS 247-14 (A) and 247-19(G) BE AMENDED AS FOLLOWS:

Chapter 247-14 (A) Fees:

A non-refundable, \$100.00 application fee for each separate road opening or improvement shall be posted with the Municipal Clerk prior to said application being forwarded to Town Engineer for review and request for posting of escrow fees.

Chapter 247-19 (G) Specifications for restoration of road:

Upon completion of work, the applicant shall request an inspection by the Town Engineer at which time the Town Engineer will determine whether the road restoration was completed in a satisfactory manner or will require additional road restoration. However, escrow fees will be held until a second inspection is made by the Town Engineer no later than 2 years from the first inspection date. At that time the Town Engineer may require additional road restoration to be completed by the applicant prior to release of escrow fees or request the Municipal Clerk to release any remaining escrow fees to the applicant. The onus of requesting inspections and release of escrow fees remains on the applicant.

Motion by Councilperson Barberio, 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.

Ordinance # 019-2011

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
REPEALING SECTIONS (A), (G), (H), AND (I) OF CHAPTER 202-3
OF THE CODE OF THE TOWN OF HAMMONTON

WHEREAS, the POLICE CHIEF AND PROSECUTOR have advised that certain sections of Chapter 202-3 are superseded by State law and should be repealed;

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

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON that Sections (A), (G), (H), AND (I) of Chapter 202-3 are repealed, and

BE IT FURTHER RESOLVED THAT Chapter 202-3 (B) was previously repealed by Ordinance #014-2009; and

BE IT FURTHER RESOLVED THAT Chapter 202-3 (C), (D), (E) and (F) will remain in full force and effect.

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

#R097-2011 Authorize Firemen Christmas Parade and Road Closure

RESOLUTION # 097-2011

RESOLUTION AUTHORIZING AND ENDORSING
FIREMEN'S CHRISTMAS PARADE

9/26/11

WHEREAS, the Hammonton Fire Department continues to support the Town of Hammonton in it's effort to promote events such as the Christmas Parade which is scheduled for December 10, 2011 (rain date December 11, 2011) @ the hour of 7:00 p.m.;

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Annual Hammonton Firemen's Christmas Parade is acknowledged and endorsed with the following streets being closed:

- Route 54 (from WPH to Front Street) from 5:00 to 9:00 pm
- Central Avenue (from Bellevue to Vine) from 5:00 to 9:00 pm
- All Road openings onto Bellevue Avenue (from WHP to Front Street) be closed during event at 7:00 pm
- Passmore Avenue (from Egg Harbor Road to Washington Street) from 7:00 to 10:00 pm
- Front Street (from Bellevue to Line Street) from 7:00 to 11:00 pm
- Liberty Street (from Bellevue Ave to Fairview Ave) from 5:00 to 8:00 pm

#R098-2011 Amend Resolution 89-2011 to Remove Sale Item

#R 098 -2011

RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY, AMENDING RESOLUTION 89-2011
AUTHORIZING SALE OF TOWN SURPLUS

WHEREAS, the Town of Hammonton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town of Hammonton is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967 / T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
2. The sale will be conducted online and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Below is a list of surplus that will not be sold at public auction:

1990 Dodge Pickup	1B7KM	26Z4L	S6290	08
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#R099-2011 Approve Anti-Drug and Alcohol Alliance Grant for Year 2012

RESOLUTION # 099-2011

RESOLUTION ACKNOWLEDGING AND APPROVING

9/26/11

THE OFFICIAL HAMMONTON ANTI-DRUG AND ALCOHOL ALLIANCE
BY LAWS AND GRANT AGREEMENT Year 2012

WHEREAS, the Hammonton Anti-Drug and Alcohol Alliance provides an important service to the community in providing education on the issue of drug abuse in an effort to prevent same; and

WHEREAS, it is necessary to approve the Hammonton Anti-Drug and Alcohol Alliance Agreement and By Laws annually; and

WHEREAS, the Town of Hammonton is in agreement with the Hammonton Anti-Drug and Alcohol Alliance Agreement and By Laws attached hereto; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that the attached Hammonton Anti Drug and Alcohol Alliance Agreement and By Laws are approved by the governing body of the Town of Hammonton.

#R100-2011 Authorize Halloween Parade and Road Closure

RESOLUTION # 100 - 2011

RESOLUTION AUTHORIZING AND ENDORSING
KIWANIS CLUB HALLOWEEN PARADE

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

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

WHEREAS, October 26, 2011 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 27, 2011);

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Kiwanis Club Halloween Parade is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road from Rt. 54 to Fairview Avenue from 6:00 – 7:00 pm
Rt. 54 (Bellevue) from N. Egg Harbor Road to Third St. from 7:00 – 9:00 pm

#R101-2011 Authorize Grant Agreement Airport Runway Project

RESOLUTION # 101- 2011

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE AIRPORT RUNWAY & TAXIWAY LIGHTING SYSTEM REPLACEMENT PROJECT

WHEREAS, the Town of Hammonton is desirous of requesting funding consideration from the State of New Jersey Department of Transportation under the Transportation Trust Fund (FY2011 Multimodal Grants Program) for the Airport Runway & Taxiway Lighting System Replacement project within the Town of Hammonton; and

WHEREAS, the Town of Hammonton is an eligible recipient for funding under said program; and

WHEREAS, the Town Engineer has been authorized to prepare the required application and agreement and

WHEREAS, in furtherance of same, it is necessary for the Town Council of the Town of Hammonton to authorize the Mayor to execute said application to allow the Town to be eligible for the New Jersey Department of Transportation Transportation Trust Fund (FY2011 Multimodal Grants Program) for the Airport Runway & Taxiway Lighting System Replacement project; and

WHEREAS, in furtherance of same, it is necessary for the Town Council of the Town of Hammonton to authorize the Town Engineer to provide all required reports, narratives, estimates and maps required for said funding consideration

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton approve that the Mayor and Clerk are hereby authorized to submit an electronic grant application with the New Jersey Department of Transportation Transportation Trust Fund (FY2011 Multimodal Grant Program) and supply all required services associated with the project entitled Airport Runway & Taxiway Lighting System Replacement project.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council of the Town of Hammonton that the Town Engineer is hereby authorized to provide all reports, narratives, estimates, and maps required by the New Jersey Department of Transportation Transportation Trust Fund (FY2011 Multimodal Grant Program).

#R102-2011 Reject Filter Media Contract

RESOLUTION #102- 2011
RESOLUTION REJECTING THE PURCHASE OF FILTER MEDIA CONTRACT

WHEREAS, the Town of Hammonton is under an Administrative Consent Order (ACO) to treat the radium contamination at Wells #5 & #7; and

WHEREAS, the Town of Hammonton has adopted a strategy to initially purchase the filter media so that they can more accurately define the method of treatment to be employed in an effort to control the long term costs associated with this process; and

WHEREAS, the bids were received on August 31, 2011; and

WHEREAS, only one bid was received from Water Remediation Technology, LLC (WRT); and

WHEREAS, the one bid received did not provide a cost on the long term pricing alternative and the bidder set forth conditions that were associated with their pricing arrangement; and

WHEREAS, the pricing exceeded the Town's budgetary expectations and the conditions were not acceptable; and

WHEREAS, the Town Engineer has recommended to the Mayor and Town Council to reject the one bid received for the reasons stated; and

WHEREAS, the Town Engineer has further recommended that the Town rebid the contract as soon as possible due to ACO constraints; and

WHEREAS, within the rebid, items will be modified with the goal of producing a more favorable bid result; and

9/26/11

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton reject the WRT bid as received on August 31, 2011 in accordance with the Town Engineer's recommendation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council of the Town of Hammonton that the Town Engineer is hereby authorized to rebid the contract as soon as practical as to minimize the delay in the ACO scheduling.

#R103-2011 Authorize Utility Extension MMG

#R103-2011

RESOLUTION GRANTING PRELIMINARY WATER & SANITARY SEWER UTILITY EXTENSION APPROVAL & AUTHORIZING MAYOR TO EXECUTE THE NJDEP APPLICATIONS FOR WATER AND SANITARY SEWER MAIN EXTENSIONS

WHEREAS, MMG Real Estate Holdings, LLC with offices located at PO Box 160, Farmingdale, New Jersey has made an application to the Town of Hammonton for water and sanitary sewer extensions for a 42 unit apartment complex located along Main Road, known as Block 4801, Lots 6 & 6.01 within the R-3A zone of the Town of Hammonton; and

WHEREAS, the plans, specifications and accompanying documents have been reviewed by Adams, Rehmann & Heggan Assoc., Inc. along with the Public Utilities Superintendent for the Town of Hammonton; and

WHEREAS, the Hammonton Planning Board did grant preliminary major developmental approval with conditions on June 15, 2005; and

WHEREAS, the Mayor and Town Council of the Town of Hammonton did grant preliminary approval for the extension of sanitary sewer and public water to service project on August 22, 2005 and adopted resolution #R138-2005 memorializing same; and

WHEREAS, NJDEP approval is required prior to final approval by Mayor and Council for water and sanitary sewer extensions; and

WHEREAS, the NJDEP must review and approve the design plans, specifications, reports, etc and allocation allotments for public water and sanitary sewer to service the property.

WHEREAS, the Applicant did receive approval from the NJDEP for sanitary sewer extension on December 14, 2005 and was issued a construction permit #05-0710; and

WHEREAS, the time for construction start related to said permit has expired and the Applicant must resubmit said plans, reports, documents, etc. to the NJDEP in order to seek re-approval for the sanitary sewer extension; and

WHEREAS, the developer did make an application to the NJDEP for water main extension in 2005, but was prohibited from proceeding forward due to water allocation restriction placed on the Town by NJDEP; and

WHEREAS, the water allocation restrictions imposed on the Town by the NJDEP have now been lifted; and

WHEREAS, the Applicant desires to proceed with the project and requests the Town to once again endorse the application for public sanitary sewer and water main extension in order to allow the Applicant to seek approval from the NJDEP for both utilities.

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 preliminary sanitary sewer and water main extension approval is hereby granted consistent with conditions contained in the prior resolution of approval dated August 22, 2005 and the Engineer's Report dated August 1, 2005, and that said Town preliminary approval for public sanitary sewer and water main extension is conditioned on the NJDEP approval of the project design plans, specifications, reports, etc. and approval of the allocation allotments for public water to service the property; and

BE IT FURTHER RESOLVED, that the Mayor of the Town of Hammonton is hereby authorized to execute on behalf of the Town of Hammonton all required applications for public sanitary sewer and water main extension to service the above referenced property.

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, resolutions 97-103 are 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

Dan Santora – Old Forks Road

Mr. Santora requested Mayor and Council require R&V representatives attend the next council meeting to explain what is going to be done at the drainage basin at Traditions at Blueberry.

The Solicitor advised R&V reps cannot attend a regular meeting because they have conflicts.

Mayor DiDonato began to advise Mr. Santora that we must give the engineer's a chance to fix this at which time Mr. Santora interrupted the Mayor and told him he was going to continue to ask questions but did not want to hear the Mayor's response to his questions.

Mayor DiDonato stated he will allow Mr. Santora to speak but requested Mr. Santora to provide accurate information.

Yuli Chew – Royce Run Development

Mr. Chew questioned if the Royce Run project bonds will be expiring in October 2012?

Solicitor advised Mr. Chew just brought this to his attention and he will need to investigate same.

Charles Perna – Washington Street

Mr. Perna stated he could not believe that no R&V reps could attend the regular council meetings. He questioned who approved to tie the 2 separate drainage basins together at Pulte Development.

Mayor advised they are not tied together. There is an overflow pipe with an inlet. He advised Mr. Perna that his information is incorrect.

Mr. Perna then questioned the ability of the pipe to drain the water due to its location.

Mayor DiDonato stated that the basin is working properly and held water during our recent hurricane.

Mr. Perna questioned where he could ascertain a copy of the blue print for the large pond?

Solicitor responded he believes the blue print of the large pond should be on record in town hall.

Mr. Perna then suggested the pipe to the grinder pump at PR Civic Assoc. will freeze during winter.

Councilman Pullia stated the grinder pump was built to spec with County and local engineers present.

Mr. Perna asked who is responsible if the pipe breaks?

Councilman Pullia stated it depends on who caused the break. If it's a contractor working on the roadway, the contractor would be responsible. If not the PR Civic Assoc would be responsible.

Mayor DiDonato advised when R&V has acquired all necessary information to allow them to respond to public questions, they will be able to attend a council meeting.

Mark Santora – Old Forks Road

Mr. Santora approached the podium with his mother Josephine. Mr. Santora once again advised council that he feels any resolution to the Pulte Development matters is taking way too long.

Mr. Paynter of Traditions at Blueberry Development (formerly Pulte) was invited forward by Mayor DiDonato to advise on the current lawn service provided. He advised that the homeowners association is paying for the grass cutting both inside and outside fence at the drainage basins. They are hoping to recover monies from Pulte once the issues have been settled but are not certain that this will come to fruition. He reminded everyone that Mayor and Council are doing their very best to help the resident in this area and he would not expect this type of help from other municipalities governing bodies.

Solicitor once again reminded everyone that the engineer who designed basin, the developer, the bonding company have all gone bankrupt which complicates matters.

Mr. Santora stated he realizes this but still feels the soil samples from the drainage basin should have been taken by now.

Mayor DiDonato stated he will have answers for Mr. Santora in 30-60 days.

LeeAnn Tomasello – 11th St. Walden Estates Development

Mrs. Tomasello appeared once again concerning retention pond at Walden Enterprises.

Mr. Vettese requested Mrs. Tomasello contact him while the overflow is actually occurring. He also advised will contact Soil Conservation Service.

Councilman Pullia advised Mrs. Tomasello that the building standards have become more strict since the drainage problems at other development. He believes the current drainage problem is occurring due to the inclement weather we've been experiencing.

Yuli Chew – Royce Run

Mr. Chew suggested the Town has to take some action to solve the water problems.

Mayor advised everyone has to realize that in a 45 day period we received 90 percent of our yearly rainfall so that makes for a very challenging environment for these basins.

MEETING ADJOURNED

9/26/11

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, the meeting is adjourned.
Motion carried.

April Boyer Maimone, Municipal Clerk