

Regular Meeting of Mayor and Council – May 14, 2012
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:30 P.M.
Public Session 7:00 P.M.

Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

Carpo - Present

Esposito - Present

Furgione - Present

Pullia - Present

Rodio - Present

Torrissi - Present

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Jerry Barberio, PWM/Business Administrator

#R055A-2012 Executive Session

#R055A-2012

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

1. Health benefits for involuntary retirement
2. Drug Treatment Center Litigation and OPRA request
3. Gulig Tort Claims Notice

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

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilpersons:

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

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese of ARH, Town Engineer
Jerry Barberio, PWM/Business Administrator

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

Mayor DiDonato asked those present to participate in a moment of silence for the passing of Jerry Canter, Traffic Consultant, and James Garrison, former Councilman for the Town of Hammononton.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Yuli Chew

Mr. Chew stated for the record, once again, that he was against the increase in water rates to be heard this evening.

APPROVAL OF MINUTES

Executive Session Minutes – April 16, 2012
Regular Meeting – April 16, 2012

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, the minutes are approved.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Shirley Bishop – COAH Presentation

Mrs. Shirley Bishop summarized her presentation given at the April 16th regular meeting of council and clarified exactly what Mayor and Council will be approving this evening.

Councilman Esposito wanted to clarify that the monies are developer fees.

Mayor DiDonato concurred.

Councilwoman Carpo questioned is the money for repairs?

Mr. Howell, Town Solicitor responded, yes.

Councilman Pullia questioned numbers on 3rd round?

Ms. Bishop responded that she has not heard yet but will most likely be advised after November election.

Councilman Furgione questioned will we have to cover the funding source for the 3rd round?

Ms. Bishop responded yes.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize the following from \$163,700.00 dedicated COAH funds:

1. \$100,000 to be committed to the ARC of Atlantic County four bedroom group home to count against 3rd round funding requirements.
2. \$63,000 to be committed to ACIA for additional rehabilitation of existing program applicants.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Hearing on 2012 Municipal Budget

Mr. Rob Scharle, CFO, was present to answer questions posed concerning 2012 Municipal Budget and amendments to same.

Mayor DiDonato advised of the amendments made to the 2012 introduced budget such as:

- a. PWM/Business Administrator, Jerry Barberio, was able to reduce Highway S&W by \$30,000
- b. The Town received a clean community grant in the amount of \$27,731.54.

Mayor DiDonato continued that this resulted in a 5.59 increase.

Mr. Scharle advised one other amendment was NJEIT allocation receipt which was a change between principal and interest.

Councilman Torrissi questioned what can council do to further reduce the increase proposed in this year's budget?

Mr. Scharle advised Mayor and Council on how the budget was prepared and the funding needed to meet the town's anticipated expenses in 2012.

Motion by Councilperson Torrissi, seconded by Councilperson Rodio, a hearing on the 2012 municipal budget will now be held and authorize the 2012 Municipal Budget to be read by title only.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

No one desired to be heard.

Motion by Councilperson Esposito, seconded by Councilperson Pullia, the hearing on the 2012 municipal budget is now closed.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. Hearing Ordinance #013-2012 Index Rate

Ordinance #013-2012

TOWN OF HAMMONTON, COUNTY OF ATLANTIC
CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Town Council of the Town of Hammonton in the County of Atlantic finds it advisable to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Town Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$95,067.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Hammonton, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Town of Hammonton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$95,067.18, and that the CY 2012 municipal budget for the Town of Hammonton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

No one desired to be heard.

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

Councilperson Torrissi advised he wanted to follow the past precedent set in not raising taxes, however, he feels the Mayor and Council need to take the advice of our CFO, Rob Scharle.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

4. #R055B-2012 Approve Amendment to 2012 Municipal Budget

#R055B-2012
Town of
Hammonton

RESOLUTION TO AMEND BUDGET

WHEREAS, the local municipal budget for the year 2012 was approved on the 16th day of April, 2012, and

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE BE IT RESOLVED, by the Town Council of the Town of Hammonton,

County of Atlantic, that the following amendments to the approved budget of 2012 be made:

CURRENT FUND - ANTICIPATED REVENUES	<u>From</u>	<u>To</u>
GENERAL REVENUES		
3. Miscellaneous Revenues - Section F: Special Items of General Revenue:		
Anticipated with Prior Written Consent of Director of Local Government		
Services - Public and Private Revenues Offset with Appropriations:		
Clean Communities Program	\$ 28,308.08	\$ 27,731.54
Total Section F: Special Items of General Revenue Anticipated with Prior Written		
Consent of Director of Local Government Services - Public and Private Revenues	113,000.44	112,423.90
 Summary of Revenues		
3. Miscellaneous Revenues:		
Total Section F: Special Items of General Revenue Anticipated with Prior Written		
Consent of Director of Local Government Services - Public and Private Revenues	113,000.44	112,423.90
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	4,438,906.36	4,438,329.82
6. Amount to be raised by Taxes for Support of Municipal Budget:		
a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	7,207,821.54	7,176,893.70
Total Amount to be Raised by Taxes for Support of Municipal Budget	7,207,821.54	7,176,893.70
7. Total General Revenues	\$11,646,727.90	\$ 11,615,223.52
 CURRENT FUND - APPROPRIATIONS		
8. General Appropriations		
(A) Operations - within "CAPS"		
Streets and Roads:		
Salaries and Wages	\$ 702,360.08	\$ 672,360.08
Total Operations (Item 8(A)) within "CAPS"	7,962,592.21	7,932,592.21
Total Operations Including Contingent - within "CAPS"	7,962,592.21	7,932,592.21
Detail:		
Salaries and Wages	4,382,586.79	4,352,586.79
(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	8,952,206.56	8,922,206.56
 (A) Operations - Excluded from "CAPS"		
Public and Private Programs Offset by Revenues:		
Clean Communities Program	28,308.08	27,731.54
Total Public and Private Programs Offset by Revenues	117,086.69	116,510.15
Total Operations - Excluded from "CAPS"	134,286.69	133,710.15
Detail:		
Other Expenses	124,024.30	123,447.76

(H-2) Total General Appropriations for Municipal Purposes Excluded from "CAPS"	1,779,286.69	1,778,710.15
(O) Total General Appropriations - Excluded from "CAPS"	1,779,286.69	1,778,710.15
(L) Subtotal General Appropriations {Items (H-1) and (O)}	10,731,493.25	10,700,916.71
(M) Reserve for Uncollected Taxes	915,234.65	914,306.81
9. Total General Appropriations	\$11,646,727.90	\$ 11,615,223.52

Summary of Appropriations

(H-1) Total General Appropriations for Municipal Purposes within "CAPS"	8,952,206.56	8,922,206.56
(A) Operations- Excluded from "CAPS":		
Public & Private Progs Offset by Revenues	\$ 117,086.69	\$ 116,510.15
Total Operations- Excluded from "CAPS"	134,286.69	133,710.15
(M) Reserve for Uncollected Taxes	915,234.65	914,306.81
Total General Appropriations	\$11,646,727.90	\$ 11,615,223.52

DEDICATED WATER/SEWER UTILITY BUDGET

	<u>From</u>	<u>To</u>
11. Appropriations for Water/Sewer Utility		
Debt Service:		
Payment of Bond Principal	1,543,000.00	1,483,000.00
Interest on Bonds	859,000.00	919,000.00
Total Water/Sewer Utility Appropriations	5,279,106.78	5,279,106.78

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, resolution 55B is adopted.

Councilwoman Carpo concurred with Councilman Torrissi in that she does not want to see an increase in the budget but she is confident in taking Mr. Scharle's advice.

Councilman Furgione stated he's been asked by the public to vote no to this budget but feels he has to make his decision based on the Town CFO's advice. This does not mean that he wishes to raise taxes but understands that he must.

Mayor DiDonato wanted to thank our Business Administrator, Mr. Barberio, for identifying some savings in the highway.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

5. #R056-2012 Adopt 2012 Municipal Budget

#R056-2012

A RESOLUTION ADOPTING THE 2012 BUDGET

Be It Resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

(a)	\$7,176,893.70 (Item 2 below) for municipal purposes, and		
(b)	None (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,		
(c)	None (Item 4 below) to be added to the Certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of General revenues and appropriations.		
(d)	None (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy		
(e)	None (Item 5 Below) Minimum Library Levy		
1.	General Revenues		
	Surplus Anticipated	08-100	\$ 1,710,000.00
	Misc. Revenues Anticipated	40004-10	\$ 2,675,329.82
	Receipts from Delinquent Taxes	15-499	\$ 53,000.00
2.	AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6 (a), Sheet 11)	07-190	\$ 7,176,893.70
3.	AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6, Sheet 42	07-195	0.00
	Item 6 (b), Sheet 11 (N.J.S.40A:4-14)	07-191	0.00
	Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		0.00
4.	TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
	Item 6 (b), Sheet 11 (N.J.S.40A:4-14)	07-191	0.00
5.	AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY	07-192	0.00
	Total Revenues	40000-10	\$11,615,223.52
6.	GENERAL APPROPRIATIONS:		
	Within "CAPS"		
	(a&b) Operations Including Contingent		\$ 7,932,592.21
	(e) Deferred Charges and Statutory Expenditures – Municipal		\$ 989,614.35
	(g) Cash Deficit		0.00
	Excluded from "CAPS"		
	(a) Operations – Total Operations Excluded From "CAPS"		\$ 133,710.15
	(c) Capital Improvements		\$ 0.00
	(d) Municipal Debt Service		\$ 1,645,000.00
	(e) Deferred Charges – Municipal		0.00
	(f) Judgements		0.00
	(n) Transferred to Board of Education for Use of Local Schools (N.J.S.40:48-17.1 & 17.3)		0.00
	(g) Cash Deficit		0.00
	(k) For Local District School Purposes		0.00
	(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)		\$ 914,306.81
7.	SCHOOL APPROPRIATIONS-TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)		0.00

Total Appropriations \$11,615,223.52

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 14th day of May, 2012. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2012 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Motion by Councilperson Rodio, seconded by Councilperson Furgione, resolution 56 is adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

6. Hearing Ordinance #008-2012 Amend Sewer Rates

ORDINANCE # 008 - 2012
AN ORDINANCE AMENDING CHAPTER 226-9 ENTITLED
DOMESTIC SEWAGE; RENTS and CHAPTER 226-10 ENTITLED COMMERCIAL AND INDUSTRIAL SEWAGE; RENTS

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

The purpose of this Amendment is to modify the annual sewer rate charged to domestic and commercial/industrial sewer users.

Section 226-9 is hereby amended and shall read as follows:

A. Annual Sewer Rates.

1. Beginning January 1, 2013, the sewer rents for collection and treatment of all domestic sewage discharged into the Hammonton Wastewater Treatment Facility (*Editor's Note: The Water Department was inactivated 1-24-2011 by Ord. No. 3-2011. See now Ch. 53, Department of Public Utilities; Superintendent of Public Works.*) by all dwellings receiving water from the Hammonton Water Department shall be an annual charge based on the water consumption of the six month period immediately preceding the date of said water meter reading, which reading shall be made during the month of May of each given year, and shall be computed in accordance with the following rate schedule:

ANNUAL RESIDENTIAL SEWER RATE

<u>Water Consumption</u> (cubic feet)	<u>Fee</u>
First 2,000 cu. ft. or less	\$450.00 Annually
From 2,001 to 4,000 cu. ft.	\$72.50 per 1,000 cu. ft.
All usage in excess of 4,000 cu. ft.	\$37.50 per 1,000 cu. ft.

2. Should any sewer user having domestic or commercial sewage collected or treated by the Sewer Department of the Town of Hammonton having sources of water supply not provided by the Hammonton Water Department or not having a meter that is acceptable to the Town and in good working order at the time said meter is read or is to be read, that sewer domestic user shall be charged a flat rate of \$550 and that sewer commercial user shall be charged a rate of \$650.00 for the collection of his or her sewer for that particular year. These rates shall become effective January 1, 2013.
3. In case of a combination of two or more dwelling units, households, flats, apartments, or two or more families using separate cooking and bathroom facilities in one dwelling having the use of the sewer system through one sewer lateral, each and every such dwelling occupied unit, household, flat, apartment of such family shall be charged the foregoing minimum annual sewer rents or charges (as set forth in paragraph 1 above) the same as if each such unit or family had a direct and separate connection to the sewer system. Sewer rents and charges in excess of such minimum shall be determined by dividing the total water consumed, as shown by the water readings, by the number of occupied units or families using such single sewer connection, and applying the above rate schedule to the quantity as determined.
4. Beginning January 1, 1996, all persons legally and medically declared totally disabled pursuant to the laws of the State of New Jersey, and all persons who now qualify and who may hereafter qualify for the real estate annual senior citizens' tax deductions of \$250 pursuant to the Laws of the State of New Jersey and who qualify and receive said tax deduction will be entitled, upon application therefore, to an annual credit of \$50 on their annual domestic sewer rental. This credit shall only extend to one property owned by any such citizen in the Town of Hammonton. Where premises are owned by more than one such citizen, only one annual credit shall be allowed by the provision of this article.

Section 226-10 is hereby amended and shall read as follows:

1. Beginning January 1, 2013, the sewer rents for collection and treatment of sanitary sewage discharged into the Hammonton Wastewater Treatment Facility by all business buildings, institutions and commercial establishments receiving water from the Hammonton Water Department (*Editor's Note: The Water Department was inactivated 1-24-2011 by Ord. No. 3-2011. See now Ch. 53, Department of Public Utilities; Superintendent of Public Works.*) shall be a semiannual charge based on the water consumption of each six-month period and computed in accordance with the following rate schedule:

SEMI-ANNUAL COMMERCIAL SEWER RATE

Water Consumption (cubic feet)	Fee
First 2,000 cu. ft. or less	\$300.00
From 2,001 to 4,000 cu. ft.	\$47.50 per 1,000 cu. ft.
All usage in excess of 4,000 cu. ft.	\$37.50 per 1,000 cu. ft.

2. In cases where a combination of one or more dwelling units, households, flats, apartments with stores, shops, offices or businesses or industrial units has the use of the sewer system through one sewer lateral, each and every occupied dwelling unit, household, flat, apartment, store, shop, office or business or industrial unit shall be charged the foregoing minimum semiannual sewer rents or charges, the same as if each such unit had a direct and separate connection to the sewer system. However, any provision of this article notwithstanding, no person shall be charged for a business or office unit which is a part of his/her residence and which does not have separate sewerage facilities within said unit unless the sewerage facilities of the residence would reasonably be considered to be available to customers of the business or office unit in light of the type of business activity conducted therein or unless the business or office unit is operated by someone other than a permanent resident of the residence attached thereto. Sewer rents or charges in excess of such minimum shall be determined by dividing the total water consumed, as shown by the meter readings, by the number of occupied units.
 3. All hospitals open to the general public of the Town of Hammonton which has a maximum of 82 beds shall pay a sewer rent of \$875 per year.
- C. **REPEALER.** Any other ordinance or parts of ordinances inconsistent with this ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance, shall remain in full force and effect as though expressly and fully set herein.
- D. **EFFECTIVE DATE:** This ordinance shall take effect upon publication and passage according to law; however, not prior to the above effective date.
- E. **SEVERABILITY.** If any part of this ordinance shall, for any reason adjudged by a Court of competent jurisdiction be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance which will be declared severable.

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

No one desired to be heard.

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

Councilman Pullia advised that the committee went through the cost to run the department and even though they did not wish to raise same it is necessary to do so.

ROLL CALL

Councilpersons:
Carpo - Yes

Esposito - Yes
Furgione - No
Pullia - Yes
Rodio - Yes
Torrissi - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

7. Hearing Ordinance #010-2012 Amend Water Rates

ORDINANCE # 010 -2012

AN ORDINANCE AMENDING CHAPTERS 275-4 ENTITLED SERVICE AND MAINTENANCE CHARGES FOR METERS AND 275-7 ENTITLED WATER RATES

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

1. PURPOSE. The purpose of this Ordinance is to amend the Service, Maintenance and Water Rates for the Town of Hammonton.
2. SERVICE AND MAINTANCE CHARGES. For the service and maintenance, there shall be charged the following rates beginning August 1, 2012.

<u>Meter Size</u>	SEMI-ANNUAL SERVICE & MAINTENANCE CHARGES	<u>Fee</u>
5/8 Inch Meter		\$8.00
1 Inch Meter		\$10.00
2 Inch Meter		\$12.00

3. WATER RATES. For the use of water, there shall be charged the following rates beginning August 1, 2012.

<u>Water Consumption (cubic feet)</u>	SEMI-ANNUAL WATER RATES	<u>Fee</u>
First 3,000 or less		\$85.00
From 3,001 to 5,000		\$32.00 per 1,000 cubic feet
From 5,001 to 10,000		\$34.00 per 1,000 cubic feet
All usage in excess of 10,000		\$36.00 per 1,000 cubic feet

4. PAYMENT OF WATER BILLS, LATE PAYMENT PENALTIES

Assessed and minimum meter rates are payable quarterly, in advance. All water rates are to be charged from the date the water is turned on. For water consumption in excess of the minimum quantity, the charge as per meter statement will be made at the close of each six (6) months. The bill shall be due when rendered. If any bill is not paid when due, interest at the rate of 1.5% per month will be charged. If a bill is more then forty-five days past due, water service may be terminated.

5. REPEALER. Any other ordinance or parts of ordinances inconsistent with this ordinance shall be and the same are hereby repealed to the extent of inconsistency. The provisions of any ordinances of the Town of Hammonton, including those specifically referred to herein, not inconsistent with this ordinance and the provisions of any amendments not inconsistent with this ordinance, shall remain in full force and effect as though expressly and fully set herein.
6. EFFECTIVE DATE. This ordinance shall take effect upon publication and passage according to law; however, not prior to the above effective date.
7. SEVERABILITY. If any part of this ordinance shall, for any reason adjudged by a Court of competent jurisdiction be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance which will be declared severable.

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

No one desired to be heard.

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

Councilperson Pullia re-iterated what he said for the sewer rate increase.

Councilman Furgione once again advised the residents that they are in control of their water bills and they can save costs by conserving water.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

8. Hearing Ordinance #011-2012 Fixing Salaries (printed in full in minutes of 4/16/12)

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

9. Hearing Ordinance #012-2012 (not 13 listed in error) Amend Chapter 16-2 Election Districts (printed in full in minutes of 4/16/12)

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

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

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito

Defer Administration report to PWM/Business Administrator report

Business & Industry-Councilperson Esposito

Report on local events and awards

Education-Councilperson Furgione

Report on Teacher contract

Report on video promoting Hammonton

Public Works & Transportation-Councilperson Rodio

Defer action items to Engineer report

Defer highway department report to Jerry Barberio, PWM

Law & Order-Mayor DiDonato

Report on Police Department

Quality of Life – Councilperson Torrissi

Thanked Mr. Vettese for his input on drainage problem and how it relates to our lake water quality

Water & Sewer – Councilperson Pullia

Updated council on various projects

Update on radium

Update on water usage – stressed water conservation

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

1. 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):

We have forwarded the conceptual design and cost estimate to the County for Chew Road and Anderson Avenue drainage relief projects. Before proceeding further, we want to get their general review and comments, since a portion of the proposed solution involves their County roadways and drainage system.

We also attended a pre-application meeting with the review staff of the Pinelands Commission related to the Lakeview Avenue drainage relief conceptual design. After the initial meeting and follow-up conversations with the Pinelands Commission, there may be a possibility that due to the safety concerns and limited impact to the downstream discharge outfall points, lake and stream corridor that an administrative review of the conceptual design, calculations and reports could occur. If accepted by the Pinelands Review Staff, it could save both time and money.

We have prepared a proposal to complete the plans, reports and calculations as discussed with the Pinelands. We will also be meeting with the Hammonton Lake Water Quality Committee and the Environmental Commission to review the conceptual plans for drainage relief with both groups. If acceptable, we will seek letters of support from both groups.

We will meet with representatives from the NJDOT related to this topic to inquire if any assistance or support could be provided from their Department. Although the NJDOT could not offer any financial assistance to the Town, they did advise and encourage the Town to seek funding through the Municipal Aid and Discretionary Aid Programs. We have prepared a proposal for Council's consideration to complete the following tasks:

- Complete additional fieldwork and elevations along the White Horse Pike, north of the Lakeview Avenue intersection.
- Modify the design plans to include the additional data along with completing some roadway improvement modifications near the intersection.
- Complete an application for Discretionary Aid to the NJDOT
- Obtain letters of support from the Hammonton Lake Water Quality Committee, Environmental Commission and other groups to enhance the application for project funding.

Action Requested:

1. Approval of the ARH proposal dated 5/9/12 (copy attached) totaling \$4,200 related submission of the concept plans and documents to the Pinelands to seek an Administrative approval.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve Engineer Action Item 1-1.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

2. Approval of the ARH proposal dated 5/9/12 (copy attached) totaling \$4,900 related to completion of the tasks noted above in conjunction with a Discretionary Aid Application.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, approve Engineer Action Item 1-2.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

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

As previously reported; Contract #1: Bids were received on February 15, 2012. There were eight (8) bidders on this project, and the apparent low bidder for all award scenarios was Eagle Construction. *Currently,* we are aware of \$1.05 Million from the Green Acres Program that is available for this project. It is our understanding additional funds \$650,000 will be allocated toward the project from the reallocation of Atlantic County Open Space Trust Funds. It is our recommendation to award a contract to Eagle Construction in the amount of \$1,590,521.00; subject to the following conditions:

- i. Availability of funds (Reallocation of County funding)
- ii. The solicitor's review and approval
- iii. The Risk Manager's review and approval.

If the County does not reallocate funds, then the current time frame to award the Contract will expire. In the event the County funds are not reallocated, we will request extensions from the Contractor and from Green Acres. For your reference attached please find our recommendation of award, which has a bid summary attached thereto.

Action Requested:

1. Award a Contract to Eagle Construction in the amount of \$1,590,521.00 subject to the county reallocating funding toward this project.

**Resolution #056A-2012
RECOMMENDATION OF AWARD
BOYER AVENUE PHASE III**

WHEREAS, the Town of Hammonton has received funding from the NJDEP Green Acres Program to allow for site improvements to the Boyer Avenue Recreation Site within the Town of Hammonton; and

WHEREAS, the Town of Hammonton has applied for the reallocation of Atlantic County Open Space Trust Funds to allow for site improvements to the Boyer Avenue Recreation Site within the Town of Hammonton; and

WHEREAS, the required permits for the design and construction of said project have been received by the Town of Hammonton; and

WHEREAS, as the Town has advertised and received bids for the construction of said project in accordance with the Public Contracts Law; and

WHEREAS, the bids received included a base bid and alternative bid scenarios; and

WHEREAS, the funds available with the addition of both Green Acres and Atlantic County funds is (\$1.05 Million + \$.65 Million) \$1.7 Million; and

WHEREAS, the Town Engineer reviewed the bids and made a recommendation to award the bid to Eagle Construction Services, Inc., of Burlington, NJ in the amount of \$1,590,521.00; and

WHEREAS, the amount recommended includes the Base Bid + Alternate A + Add Alternate (Clearing & Grading), and

THEREFORE BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton hereby awards a Contract to Eagle Construction Services, Inc. of Burlington, NJ whose bid with the alternates described was \$1,590,521.00 subject to compliance with conditions as noted below:

1. Review and Approval of the bid documents by the Town Solicitor.
2. Review and Approval of the bid documents and award recommendations by the Green Acres Program.
3. Review and Approval of the bid documents and award recommendations by the Atlantic County Open Space Program
4. Reallocation of funds in the amount of \$650,000 by the Atlantic County Open Space Trust.
5. Certification as to the availability of funds from the Town's Chief Financial Officer.

That the residing officer (Mayor) of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

That the Mayor and Town Council has provided for the establishment of additional funds to complete the project improvements as designed and bid.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve engineer action item 2-1 and adoption of resolution 56A.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. Award ARH Proposal #11-0451 (copy attached) in the amount of \$80,000.00 subject to the county reallocating funding toward this project.

Motion by Councilperson Rodio, seconded by Councilperson Furgione, approve engineer action item 2-2.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

SEWER & WATER ACTION ITEMS

NO ACTION ITEMS AT THIS TIME

SEWER & WATER INFORMATION ITEMS:

3. Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138):

At the last writing on this project, the latest count of those eligible under the NJDEP Spillfund Program was 22 properties. Since that time, the re-test of the approximate 30 residents who took advantage of the NJDEP testing has resulted in an additional number of residents testing above the standards. Currently, the number of affected parties is up to 29.

As a reminder, the NJEIT determination of eligible costs has resulted in the following funding.

Total eligible project cost:	\$3,193,171.00
Fund loan at 0% interest:	\$1,264,622.00
Trust loan at half of market:	\$1,264,622.00
Principal forgiveness:	\$632,311.00
NJDEP Fee:	\$31,616.00

With the retesting and the number of affected residents claiming back up to 29, the NJDEP – Spillfund Program’s contribution will be closer to the original award of \$770,000.00, making the total of grant proceeds associated with this project over \$1.35 million against a bond ordinance adopted on December 19, 2011 in the amount of \$4,600,000.00.

As a reminder, the three successful contractors are:

Contract 1 - Lafayette Utilities	\$2,894,999.50
Contract 2 - Helmer Construction	\$381,250.00
Contract 3 - Steffen Drilling	\$23,995.00
	\$3,300,244.50

Contracts 1 thru 3 are funded in part by New Jersey Environmental Infrastructure Trust Fund (NJEIT) as well as the NJDEP Wellfield Remediation Program.

A pre-bid conference was conducted on May 7, 2012 with Lafayette Utilities and Helmer Construction but not yet with Steffen Drilling which is slated for May 16, 2012. Lafayette will commence construction on or about June 1, 2012 and begin the project on Pine Road at the White Horse Pike. Helmer Construction, the contractor responsible for the household services, will be commencing approximately 30-60 days following the first contractor activity since they are dependent upon progress achieved on the main construction activity.

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

As reported last month, a BSDW permit was issued on March 23, 2012. However, in order to advertise for bid and retain the funding secured on this project from the NJEIT, the granting of Pre-Award approval is needed from the Trust as a prerequisite to advertise. We have received comments on the plan and specifications from the Trust. Also we have made slight modifications to the specifications to incorporate comments from those that will ultimately operate the system. Although the changes and comment issues were minor, the NJDEP review is warranted. Resubmission has been made on the pending issues and informally approved. The next step is to hand deliver 3 sets of final plans and specifications to the NJDEP which will finally allow for permission to advertise.

Our previous estimated schedule for this project should be close to being followed:

Bid Advertisement – May 15, 2012
 Bid Receipt - June 13, 2012
 Bid Award – June 25, 2012

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

The rate increase that was scheduled for hearing on April 16, 2012 needed to be reworked, thus second reading of rate increase is now scheduled for May 14, 2012. With the conclusion of the increase in water rates, the moratorium on increased water diversion rights will be shortly resolved. Once the rate adjustment is made, the Town will have an increase to its monthly and annual allocation thus allowing for any applicant for connection to the water system to be addressed.

6. Route 54/Bellevue Avenue Utilities (ARH #11-50120): - No Status Change

The sub-contractors have completed all of their required punch list items. We are currently waiting for the Contractor to provide outstanding items, allowing the contract to be closed out. Unfortunately in order to close out this project there are a few issues that need to be addressed. There are currently claims in against the payment bond by the sub-contractors. The Contractor cannot close out the project without a release of liens form filled out by the sub-contractors. Until the issues that have led to the claims against the payment bond are resolved we will not be able to close out this project. We will make efforts to move this project to closure; however potential litigation issues may continue to delay this process.

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

The updated report was submitted to the Pinelands report back in November 2011. We periodically check on the review status and when we did so last, they indicated it would be released within two to three

weeks. That report was last month and now the Pinelands have indicated that they need additional time. We suspect that we will get some comments in June.

PUBLIC WORKS INFORMATION ITEMS

8. **2012 Roadway/Drainage Projects (ARH #11-40045 & 46):**
As authorized at the last Council meeting, our Survey Department has begun the fieldwork for the Grape Street cluster of roads. Once the fieldwork is completed and a base plan plotted, we will be able to review the areas of concern, prepare a conceptual design plan and meet with the Public Works Committee to discuss options for design consideration.

9. **Community Development Block Grant (CDBG) Funding (ARH #11-40044):**
The Contractor has completed the project construction. We have placed a second payment invoice for Council's consideration. We will finalize the quantities, prepare a change order, and meet with the PWTC during the next month so that the project could be closed out for the June Council meeting. Once final payment is made, reimbursement of the allotted funds could be requested. We will also need a copy of the cancelled checks for the reimbursement request.

10. **Stockton College Parcel Property Remedial Investigation/ Action – Front Street (ARH #11-40042):**
As authorized last meeting, ARH is continuing the sampling and investigatory work at the Wallace Realty/Stockton College site. We will keep the PWTC and Council advised of the progress.

11. **Fiscal Year 2012, NJDOT, Federal Aid Safe Routes to School Program (ARH #11-01071.02): No Status Change**
As authorized by Council at the last meeting, our office prepared and submitted an application to NJDOT for this program for sidewalk improvements along the following streets:
 1. North Street
 2. Fourth Street
 3. Walnut Street towards Old Forks Road
 4. Tilton Street
 5. Fairview Avenue

A total of \$625,000.00 was requested from NJDOT to help fund these improvements. The application was submitted on December 21, 2011.

12. **Hammonton Tax Map Revisions, Property Revaluation (P2011.0485):**
We received a call from the Business Administrator last week regarding our proposal. We were asked to review our proposal options and determine if we could develop a new project scope, schedule and costing strategy to fit within the Town's current budget constraints. We are working on our alternative proposal and will forward it to the Business Administrator very shortly. Time is certainly a concern given the court imposed schedule.

13. **Multimodal Grant Applications (ARH #11-01053): - No Status Change**
As previously reported, the NJDOT has announced they will be receiving applications for the Multimodal Grant program. As authorized, our office worked with L.R. Kimball to submit an application for a new taxiway and runway lighting system.

Currently; it is our understanding the Town will be receiving \$821,883.10 in the form of a grant from NJDOT. Additionally as a requirement of the funding program, the Town will need to contribute 5% or \$43,257.01 toward this project.

14. Municipal Aid Applications (ARH #11-40041):

Previously, as authorized we applied on behalf of the Town for the following projects:

Municipal Aid – Pratt Street from Egg Harbor Road to Tilton Street
\$156,641.00 Grant Allocation Announced

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

No allotments made to date.

15. Kramer Beverage (ARH #11-01000):

At the last meeting, the Town Council approved the release of the Performance Bond for the project held for 11 years contingent upon conversion of same to a one year \$80,000.00 Maintenance Bond and the execution of an agreement with the Town. The bonding company for Kramer Beverage will not be issuing a maintenance bond due to the lapse of time. Therefore in order to satisfy the condition Kramer Beverage is attempting to secure a Letter of Credit to satisfy that condition. The bank proposed to provide same to Kramer Beverage has requested additional information for which we are assisting at the time this report is being filed. It is our goal to accomplish this by the meeting. If we need additional time, we would be requesting that the Town waive the conditions so that Kramer Beverage would not have to renew their premium with the bonding company for another year since they are acting in good faith to provide the necessary substitute security. We will update the PWTC and Council at Monday night's meeting.

SOLICITOR REPORT

1. Passing of Mr. Canter and Mr. Garrison
2. Clustering Ordinance
3. COAH (taken up under Dispense)
4. Tom Thatcher – Airport Resolution

Motion by Councilperson Furgione, seconded by Councilperson Torrissi, authorize Solicitor prepare letter to Federal Government requesting they continue to allow the Town to contribute 2.5% toward any funding received rather than change the percentage of funding for airport grants.

RESOLUTION # 56B-2012

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND TRANSMIT A RULEMAKING PETITION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION REQUESTING MAINTENANCE OF THE CURRENT SAFETY AND TRANSPORTATION INFRASTRUCTURE FUNDING RATIOS.

WHEREAS, the Town Airport Consultant, Thomas Thatcher of L.R. Kimball, has recommended that the Town transmit the attached Petition for Rulemaking to the New Jersey Department of Transportation, the Federal Aviation Administration and the other Governmental officials and offices noted therein in an effort to encourage retaining the current funding ratio between the Department of Transportation, the Federal Aviation Administration and the Town whereby the Town's proportional contribution to Airport improvements is 2.5%; and

WHEREAS, the Hammonton Municipal Airport plays a vital role in the Town's and region's economic stability; and

WHEREAS, the Hammonton Municipal Airport, given its geographical location in the center of South Jersey, serves as the permanent basing location of the New Jersey State Police Medivac helicopter and related services which provide invaluable emergency assistance to those in critical need of same; and

WHEREAS, Mayor and Council believe that the retention of the current funding ratio is in the Town's best interest.

NOW, THEREFORE, IT IS RESOLVED ON THIS 14th DAY OF May, 2012, that Mayor Steve DiDonato shall be and hereby is authorized to execute the attached Rulemaking Petition respectfully requesting retention of the Town's contribution to Airport development projects at 2.5%.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

5. Stockton Status
6. Restriction on Municipal Employment
7. Kramer Beverage Agreement Revision

Motion by Councilperson Esposito, seconded by Councilperson Carpo, amend previous approval of Kramer Beverage posting of maintenance bond to "Letter of Credit".

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

8. Revaluation Status
9. Amend Fire Department Ordinance (to be prepared for June 25 regular meeting)
10. Authorize reimbursement of medical/prescription benefits to "involuntary disability" employee

Motion by Councilperson Esposito, seconded by Councilperson Torrissi, authorize reimbursement of medical/prescription benefits from February – May for employee pending involuntary disability retirement application approval made by the Town of Hammonton. He has agreed if not found disabled, he will reimburse the town for the premiums paid.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

11. Traditions at Blueberry Ridge

Motion by Councilperson Rodio, seconded by Councilperson Carpo, authorize final payment to R&V in the amount of \$11,826.78 which is a reduction of original billing for work performed for Pulte Development.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

12. Report on Meeting with Traditions at Blueberry

Councilperson Carpo questioned does the revaluation have to be completed by January 2015 to which the Solicitor responded, yes.

MAYOR REPORT

Congratulate Andrew Ordille, son of Paul and Joann Ordille on achieving State semi finalist Louis Bay 2nd Future Municipal Leaders Scholarship Competition

PWM/BUSINESS ADMINISTRATOR REPORT

1. Hire 2 part time laborers Public Works Dept \$10.00 hour, 28 hrs per wk, no benefits

Motion by Councilperson Esposito, seconded by Councilperson Rodio, approve PWM/Business Administrator report item 1.

ROLL CALL

Councilpersons:

Carpo - Yes

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

Mayor DiDonato declared the motion carried.

2. Authorize Advertise, Interview & Hire Between Meetings PT Field Rep/Property Maintenance Official \$10.00 hr, maximum 32 hours per week, no benefits

Motion by Councilperson Carpo, seconded by Councilperson Esposito, approve PWM/Business Administrator report item 2.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

3. Reduction of S/W – Public Works
4. Street Sweeping
5. Boyer Avenue Project – County Resolution, Green Acres, Responsibilities and Town Involvement
6. New Jersey Youth Corps – Community Service Project
7. Clerk’s Office Extended Hours starting June 7, 2012
*Thursday – new hours 9 AM to 6 PM

TOWN CLERK REPORT

1. Accept new members Fire Co. #1:
Sammuel Vasquez
Robert Geiling
2. Accept resignations Fire Co. #1 members:
Troy Spencer
David LaSassa
3. Accept resignations/removals Fire Co. #2 members:
David Perone Jr.
Sam Sofia Sr.
Nicholas Coia (moved to social member status)

Motion by Councilperson Pullia, seconded by Councilperson Esposito, approve town clerk report items 1-3.

ROLL CALL

Councilpersons:

- Carpo - Yes
- Esposito - Yes
- Furgione - Yes

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

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Torrissi, seconded by Councilperson Furgione, approve May bill list and issuance of purchase orders.

ROLL CALL

Councilpersons:
Carpo - Yes
Esposito - Yes
Furgione - Yes
Pullia - Yes
Rodio – Yes (recused on White Star only)
Torrissi - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #014-2012 Amend Ordinance 1-2011 Employee Evaluations

Ordinance #014-2012

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON
AMENDING ORDINANCE #1-2011 ESTABLISHING A JOB PERFORMANCE
REVIEW PROCESS FOR TOWN EMPLOYEES

WHEREAS, the Mayor and Council of the Town of Hammonton desire to amend Ordinance 1-2011;

WHEREAS, the Mayor and Council wish to change the evaluation process as follows:

1. A separate evaluation form has been created and will now be used for police as well department heads;
2. All employees will be evaluated on their anniversary;
3. All evaluations are subject to review and approval of the Business Administrator;
4. The Business Administrator will be responsible for evaluation of department heads;
5. The evaluations will now be reviewed by Mayor and Council prior to employee/department head promotions;
6. The evaluations will be used for other circumstances such as hiring part time to full time status, review of performance after probationary period or reprimand, or any other reason as deemed necessary by the Business Administrator;
7. The evaluation now requires supporting documentation for negative review;
8. The Town Clerk will complete the attendance portion of the evaluation in comparison to the employees time card.

WHEREAS, the employee or department head will continue to have the ability to comment or appeal before their council committee the job performance evaluation given to them;

WHEREAS, the job evaluation does not eliminate the department head, Business Administrator or Mayor and Council's ability to reprimand (verbally or in writing or to suspend).

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the attached revised employee, police and department head evaluation form and process be adopted to take effect upon adoption of this ordinance.

BE IT FURTHER RESOLVED that the Town Clerk is authorized to amend the employee handbook to reflect the changes made to the policy.

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

Councilperson Furgione questioned previous employee review process to which Mayor responded.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #015-2012 Amend Chapter 271 Section 28 Vehicles and Traffic

Ordinance #015-2012

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Section 28 Speed Zones Along Town Roadways

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-28 be added as follows:

Name of Road	Zone Description	Maximum Speed Limit (mph)
Walnut Street	Between N. Third St. & Old Forks Rd.	25

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

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

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #016-2012 Amend Bond Ordinance 9-2012

Ordinance #16-2012
Amending Bond Ordinance #009-2012

CAPITAL ORDINANCE AMENDING BOND ORDINANCE NUMBERED 14-2011 OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED JUNE 27, 2011, TO INCLUDE THE CONTINUED DEVELOPMENT OF THE HAMMONTON SPORTS COMPLEX AND VARIOUS IMPROVEMENTS TO LAKE PARK AND PROVIDING AN ADDITIONAL APPROPRIATION OF \$915,750, CONSISTING OF A \$915,750 GRANT FROM THE COUNTY MUNICIPAL OPEN SPACE FINANCIAL ASSISTANCE PROGRAM

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. Section 3(a) of Bond Ordinance numbered 14-2011 of the Town of Hammonton, finally adopted June 27, 2011 (the "2011 Bond Ordinance"), for the continued development at the Hammonton Sports Complex, located between Boyer Avenue, Sewell Avenue, Seventh Street and Moss Mill Road, consisting of various recreation facilities, including all work, materials and all costs necessary or incidental thereto is hereby amended to include, in addition to the improvements listed herein, various improvements to Lake Park as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto.

Section 2. This project was authorized to be undertaken by the Town as a capital improvement, pursuant to the 2011 Bond Ordinance. This amending capital ordinance hereby appropriates an additional amount of \$915,750, consisting of a \$915,750 grant to be received from the County Municipal Open Space Financial Assistance Program, such sum being in addition to the \$1,050,000 Green Acres Loan from the New Jersey Department of Environmental Protection and the New Jersey State Preservation Trust authorized and appropriated by the 2011 Bond Ordinance.

Section 3. The estimated cost of the improvement or purpose is amended to be \$1,965,750, including the \$1,050,000 appropriated by the 2011 Bond Ordinance and the \$915,750 appropriated herein.

Section 4. The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 5. The improvement or purpose described in this amending capital ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

Section 6. All other terms and conditions set forth in the 2011 Bond Ordinance not amended herein remain as set forth in such Ordinance. Any inconsistencies or omissions between the 2011 Bond Ordinance or this capital ordinance shall be read in favor of this amending capital ordinance.

Section 9. This capital ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law. Bond Ordinance Numbered 009-2012, finally adopted April 16, 2012, is hereby rescinded and this amending capital ordinance hereby supersedes and replaces such bond ordinance.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #017-2012 Capital Ordinance Demolish Building

Ordinance #017-2012

CAPITAL ORDINANCE APPROPRIATING \$158,130 FOR THE DEMOLITION OF BUILDING IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") hereby appropriates \$158,130 for the demolition of the building located at 317 North Egg Harbor Road located in the Town of Hammonton.

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

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

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

Councilperson Torrissi questioned is money allocated for environmental testing?

A discussion of council was held with Mr. Vettese researching the exact amount of available funds for environmental testing.

Councilperson Furgione questioned can this funding be put toward fence to which Mr. Barberio, Business Administrator, responded yes.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #018-2012 Tax Map

ORDINANCE NO. 018- 2012

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53 FOR THE PURPOSE OF PREPARATION OF AN APPROVED TAX MAP

BE IT ORDAINED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic and State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (ch.48, P.L. 1956 as amended by Ch.144, P.L. 1965 and Ch.38, P.L. 1969), the sum of Forty Five Thousand Dollars (\$45,000.00) is hereby appropriated for the preparation of an approved tax map and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth (1/5th) of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

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

Councilperson Torrissi asked for clarification of the 1/5th funding to which Mayor DiDonato responded.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R057-2012 Salary Resolution Class II Officer

#R057 - 2012
RESOLUTION

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of the certain Town Officials of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council; and

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

<u>Employee</u>	<u>Title</u>	<u>Hourly rate effective 3/27/12</u>
Kyle Ambrozaitis	Class II Special Police Officer	\$15.00

#R058-2012 Amend Chapter 48 NJSHBP

#R058-2012
STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PENSIONS AND BENEFITS

STATE HEALTH BENEFITS PROGRAM
PO BOX 299
TRENTON, NEW JERSEY 08625-0299

A RESOLUTION to adopt the provisions of Chapter 48 (N.J.S.A. 52:14.17.38 under which a public employer may agree to pay for the State Health Benefits Program (SHBP) and/or School Employee's Health Benefits Program (SEHBP) coverage of certain retirees.

BE IT RESOLVED:

1. The Town of Hammonton, County of Atlantic, SHBP ID Number 0045-02 hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employee's Health Benefits Commission to implement the provision of that law.
2. This resolution affects employees as shown on the attached Chapter 48 Resolution Addendum, specifically PBA only. It is effective on the 1st day of January, 2012.
3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any Chapter 88 Resolution or Chapter 48 Resolution adopted previously by this governing body.
4. We agree that this Resolution will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this Resolution.

#R059-2012 Amend #R40E-2012 Open Space Financial Assistance Program

RESOLUTION #059-2012
AMENDING #R040E-2012
ATLANTIC COUNTY RECREATION AND OPEN SPACE
FINANCIAL ASSISTANCE PROGRAM

WHEREAS, the Atlantic County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Financial Assistance Program to provide funding in connection with municipal acquisition and development of lands for open space, recreation, conservation and historic preservation purposes; and

WHEREAS, the governing body of the Town of Hammonton was previously awarded County Open Space Trust funds in the amount not to exceed \$915,750.00 to fund the acquisition of land located in the Town Of Hammonton at various blocks and lots; and,

WHEREAS, The Town of Hammonton has been unable to complete the project, and desires to redirect the previously awarded \$915,750.00 to Upgrade the Boyer Ave Recreational Facility at Various blocks and lots in the Town of Hammonton.

WHEREAS, the Town of Hammonton desires to extend the term of the Financial Assistance Agreement for County Open Space Trust Funds to complete the improvements.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that:

- 1) The Town of Hammonton is committed to this project and will Provide the balance of funding necessary to complete the project in the form of non-County funds as required; and
- 2) The Town of Hammonton is willing to use the approved County Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state and local government rules, regulations, and statutes thereto; and
- 3) The Town of Hammonton is authorized to submit a request to the County of Atlantic to reallocate previously awarded acquisition Funds toward development projects at the Boyer Ave Recreation Facility; and
- 4) The Town of Hammonton is authorized to submit a request to Extend the term of the Financial Agreement; and
- 5) Mayor Stephen DiDonato is hereby authorized to execute any required documents, agreements, and amendments thereto with the County of Atlantic for the approved County Open Space Trust Funds; and
- 6) This Resolution shall take effect immediately.

Motion by Councilperson Torrissi, seconded by Councilperson Esposito, resolutions 57 – 59 are adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Dan Santora

Mr. Santora commented on May meeting date being incorrect on the website. He then posed several questions to which Mayor and Council and the Solicitor responded.

Rock Colasurdo – Airport Administrator

Mr. Colasurdo gave Mayor and Council a report on the airport.

Mark Santora

Mr. Santora questioned the details of the meeting concerning Pulte that the Solicitor reported on under his report this evening to which the Solicitor responded the meeting was held with the Bond Company. A discussion was held between Mr. Santora and Mayor and Council with both sides giving their opinions on the drainage pond.

Mayor DiDonato concluded that an application on the basin will be made to Pinelands who will approve or deny same.

Mr. Santora insisted the Solicitor provide him correspondence from the bonding company that he previously requested to which the Solicitor advised he will do the best he can in providing Mr. Santora the documents listed in his opra request.

Dan Santora

Mr. Santora spoke again concerning the drainage basin.

Josephine Santora

Mrs. Santora spoke on the time frame of correction to the drainage pond problem.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk