

Regular Meeting of Mayor and Council – July 23, 2012  
Town Hall Council Chambers, 100 Central Avenue  
Executive Session 6:00 P.M.  
Public Session 7:00 P.M.

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

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

Carpo - Present

Esposito - Present

Furgione - Present

Pullia - Present

Rodio - Present

Torrissi – Absent (due to business)

Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Jerry Barberio, PWM/Business Administrator

#R070-2012 Executive Session

#R070-2012

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. Thru the fence agreement
2. Drug treatment center  
Opra request  
Economic report
3. Pulte/Traditions at Blueberry Ridge  
Authorize retention of consultant
4. Berenato (former Town Dump)  
ARH evaluation (depositions/appraisal)
5. COAH – legal status

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

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes  
Torrissi - Absent  
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 - Absent  
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

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Dan Bachalis – Hammonton Green Committee

Mr. Bachalis thanked Mayor and Council for the Sustainable Jersey Grant Application Resolution that appears on agenda later this evening.

Mayor DiDonato thanked Mr. Bachalis for making grant application.

APPROVAL OF MINUTES

Executive Session June 25, 2012  
Regular Meeting June 25, 2012

Motion by Councilperson Esposito, seconded by Councilperson Carpo, the minutes are approved as recorded by the Clerk.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Hearing Ordinance #019-2012 Capital Ordinance \$4,100,000 Renovation of Property

Motion by Councilperson Pullia, seconded by Councilperson Furgione, 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 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 - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. Hearing Ordinance #020-2012 Amend Chapter 271 Vehicles & Traffic – Francis Street

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito

No action items

Business & Industry-Councilperson Esposito

Report on upcoming events

Education-Councilperson Furgione

Report on Sat Aug 4 and 11 road closure  
Report on status of projects  
Report on change in School Board Meeting Date

Public Works & Transportation-Councilperson Rodio

Defer to Engineer Report and PWM Report

Law & Order-Mayor DiDonato

Report on Law & Order Committee meeting Towing Fee amendments on agenda this evening

Quality of Life-Councilwoman Carpo

Report on Green Day Preparation

Authorize Purchase Order Clean Flow Filters (Lake Quality Committee)

Motion by Councilperson Carpo, seconded by Councilperson Esposito, authorize purchase order for clean flow filters in the amount of \$ 74.99.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Authorize Purchase Order-Promotion Items for HLWQ and Various Events (Lake Quality Committee)

Motion by Councilperson Carpo, seconded by Councilperson Furgione, authorize purchase order up to \$250.00 to promote lake water quality.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Authorize Purchase Order (Environmental Commission)

Motion by Councilperson Carpo, seconded by Councilperson Esposito, authorize purchase orders for the following items:

Not to exceed \$100 for Green Day table signage and other items  
Not to exceed \$300 for Green Day seedlings to hand out to public  
Not to exceed \$100 for promotional and informational items

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Water & Sewer – Councilperson Pullia

- Report on Pine Basin Oak Project
- Report on water usage – reminder to conserve water
- Report on radium (wells 5 & 7 are off)

Mayor DiDonato reported there is a business person offering for sale water treatment systems to individual homeowners. He advised the homeowners that they do not need to purchase this system as wells 5 & 7 are off and will not be run until the radium treatment facility is up and running. He reiterated the water you are drinking is safe.

ENGINEER REPORT

**PUBLIC WORKS ACTION ITEMS**

**1. Drainage Projects: Lakeshore and White Horse Pike (ARH #11-60202.03):**

As authorized by Council, ARH has made a submission to the Pinelands Commission related to the Lakeview Drive/White Horse Pike Drainage and Roadway Restoration Project. It was initially felt that after our discussion with the Pinelands Commission representative that the proposed drainage improvements could possibly be handled administratively through the Pinelands Review Staff. Upon recent verbal discussion with the Pinelands, it was indicated that additional information and reviews will be required. We have recently received a copy of their review letter and will discuss same with the drainage reviewed before commenting further.

Work has also begun on the State Discretionary Aid application. One of the requirements is the adoption of a Resolution by Mayor and Council supporting the application. We have also finalized the drainage and roadway work design plan along with a project estimate to submit with the Discretionary Aid application. This submission will need to wait until we receive and address the Pinelands comments.

#R070A-2012

LAKEVIEW DRIVE DRAINAGE AND ROADWAY IMPROVEMENTS  
DISCRETIONARY AID

WHEREAS, the Mayor and Town Council recognize the importance to solve the existing flooding conditions that occur at the Lakeview Drive and White Horse Pike, US Rt. #30 intersection; and

WHEREAS, the Mayor and Town Council has authorized the Town Engineer's Office to complete all fieldwork, design, permitting and funding applications related to seeking relief for this flooding and safety related issue; and

WHEREAS, Town Officials have met with NJDOT representatives to request their assistance on resolving this flooding and safety concern; and

WHEREAS, it is recognized that both State and Municipal roadways and properties contribute to the overland flow of stormwater that causes the impoundment of storm water at this intersection; and

WHEREAS, the Municipal Officials were advised by the NJDOT representatives that they would support the Town's effort to file an application for State Discretionary Aid related to completing the improvements to provide drainage relief and minor roadway improvements for the project location.

NOW THEREFORE BE IT RESOLVED BY the Mayor and Council of the Town of Hammonton it authorizes the Mayor and Clerk to sign the appropriate Resolution, Application, and Agreement to seek Discretionary Aid funding assistance for the Lakeview Drive Drainage and Roadway Improvement Project.

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

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

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

We met with representatives from the Town, the Solicitor and the Downtown Advocate to review the status of the investigation authorized by Council in April of 2012 for the above noted site. It appears that there are three (3) items left to address for this site. Two (2) items are related to soil sampling and the third related to additional groundwater monitoring. As requested, we have attached a proposal dated July 13, 2012 related to investigation of those items noted above. We understand that the proposal will also be circulated to Stockton for their review and approval. The proposal estimates the cost to complete the work stipulated in the proposal to be \$14,725.00.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, approve ARH proposal dated July 13, 2012 totaling \$14,725.00 subject to the review and approval of the proposal by Stockton College.

Mayor DiDonato advised the Town will spend the money and Stockton will reimburse the Town.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

**3. Hammonton Lake Lowering Permit 2012/2013 (ARH#: 11-90016):**

We received an e-mail from John Scianni, Chairman of the Hammonton Lake Water Quality Committee. John had requested details and a timeframe related to the lake lowering permit. In conjunction with the Lake Water Quality Management Study, this coming year would be the timeframe for the lowering of the lake. As requested, we have prepared a cost estimate to complete the required application and related documentation for the permit. The application must be filed now in order to obtain the permit on time for the winter of 2012/2013 lake lowering.

Motion by Councilperson Furgione, seconded by Councilperson Rodio, approve ARH proposal to complete the required application and related documentation to the NJ Division of Fish and Wildlife to lower the Hammonton Lake water level during the upcoming winter season. The estimate of cost to complete the work required for the permit application is \$550.00

**ROLL CALL**

Councilpersons:

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

Mayor DiDonato declared the motion carried.

**4. Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153):**

After meeting with the Mayor, Solicitor, Council representatives and the Downtown Advocate, we were requested to resubmit our proposal dated 4/3/12 to complete Environmental Investigative Work at the above noted site. This Preliminary Site Assessment will be required as an initial phase of any funding application the Town may consider to complete the parking lot improvements at this location. We have attached a copy our proposal dated 4/3/12 related to the work required to complete the Preliminary Site Assessment investigation and report.

No action taken this evening.

**SEWER & WATER INFORMATION ITEMS:**

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

Radium at Well #5/#7:

Bids were received on June 22, 2012 and the contract was awarded to TKT Construction of Williamstown, NJ on June 25, 2012 for the following:

Base Bid	\$1,532,900.00
Alternate 2A	\$21,000.00
Alternate 2B	\$21,000.00
Alternate 3	<u>\$23,000.00</u>
<b>TOTAL</b>	<b>\$1,597,900.00</b>

**Note : Alternate #1 (natural gas generator) was not awarded.**

The award was conditioned upon consent from NJEIT (the funding agency). At this writing, we are awaiting the receipt of the original Proof of Publication from the Press of Atlantic City to fulfill the checklist

obligations of the Program. In anticipation of receiving the NJEIT consent, contracts have been prepared and issued to the contractor so that they may initiate bonding and insurance activity.

As previously reported, it is anticipated that Notice to Proceed will be issued on or about September 1, 2012 and the construction schedule calls for a 180 calendar day timeframe, resulting an expected substantial completion date of March 1, 2013. This scheduled can be influenced by the ability of the manufacturer of the equipment to deliver same in an expeditious manner.

Radium at Well #4:

As previously reported, second quarter testing occurred at Well #4 on April 18, 2012, whereby the gross alpha limit was again exceeded. Also, the Running Annual Average (RAA) was over the limit. As a result, the Town was required to again provide public notice. Throughout the peak summer demand currently being experienced, the Town continues to rely on Wells #1, #2 and #4 for the Town's daily water supply. The use of Wells #5 and #7 may be warranted depending on continued demand through the heat wave.

Again as previously reported, on Monday, June 18, 2012, Town Officials met with NJDEP to initiate discussions on a schedule to bring Well #4 into compliance. This will result in a need to amend the existing Administrative Consent Order (ACO) since an extension of the compliance deadline will be warranted. Without an ACO, the Town would need to have Well #4 remediated with radium treatment by March 31, 2013 or penalties would be invoked. A proposed schedule was provided to NJDEP to avoid any additional penalties associated with non-compliance.

Well #4 – Air Stripper:

In 1992, due to the presence of volatile organic compounds (VOC's), the Town was required to install an air stripper to remove the levels of VOC's to acceptable standards. Recently, the levels of VOC's have increased thus requiring the Town to prepare for a remedy before the thresholds are exceeded and enforcement action is warranted. The remedy may include a thorough cleaning of the equipment to assure it is achieving maximum filtration after being in operation for over 20 years. Also in the evaluation, is a determination of whether the range of contaminants experienced 20 years ago were anticipated in the design and a possibility exists that a modification to the existing stripper would be necessary. The schedule for the correction to the air stripper was included in the proposed amended ACO.

ARH has conducted research toward this end and have determined that the equipment is achieving the tolerance of the original design. However, the contaminants in the raw water levels have been on the rise thus requiring an added "ring" to be installed on this equipment. This equipment was originally funded by the NJDEP Spillfund Program and as such, we have provided documentation to this program indicating the need for coverage to overcome the increases in the raw water levels of contamination. The estimated project costs for the added "ring" of treatment will approximately be \$40,000.00. We are optimistic that the NJDEP program will fund this expense and hopeful that they will also cover the related engineering costs.

The levels of volatile organic compounds have not exceeded the Safe Drinking Water Levels at of this writing. However, NJDEP is concerned that with the levels increasing, it would only be a matter of time whereby an exceedence could be experienced. Therefore, NJDEP is interested in the Town instituting corrective measures preemptively.

Licensed Operator:

A time frame for resolution to the licensed operator issue was also included in the proposed amended ACO. The Town has begun its search on resolving this problem.

**6. Wastewater Treatment Plant Surface Water Permit (ARH #11-50058):**

On July 10, 2012, the NJDEP - Bureau of Surface Water Permitting has issued the FINAL NJPDES Discharge to Surface Water (DSW) Renewal permit for the plant. The permit is under review by the operator and the professionals and written comments will be submitted before the 30 day comment period

lapses. The issues requiring attention are the frequency of the quarterly copper monitoring requirement and the ability to perform a site specific study as we did for lead to address the zinc limit that was included in the permit against our initial objection when the draft permit was issued.

We will be discussing with the PWTC the cost and practicality of conducting a site specific study. There is a possibility if the PWTC agrees that the study can be completed this summer if initiated quickly. In order to accomplish this objective, a work plan would need to be prepared, NJDEP would need to approve same and the frequency of sampling would need to be doubled. There are different site specific study approaches that can be undertaken, but for zinc, the simplest is to collect data that measures hardness and the ratio between dissolved and total zinc in the stream and in the effluent. All of the options, costs and potential benefit of performing the study will be reviewed with the PWTC. Omni Environmental will be assisting and was the special consultant that prepared the lead study in the past with success.

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

We have made a follow-up contact with Atlantic County related to their review of the conceptual design submitted and the possible joint effort to resolve the problem, and are waiting for a response.

As related to the Anderson Avenue drainage project, we do have a conceptual design which we will discuss with some of the affected property owners this month to receive their input. We will keep Council informed of further progress.

**8. Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138): No Status Change**

Construction on the water main portion of this project began on May 29, 2012 at the intersection of Pine Road and the White Horse Pike. At this writing, the main has been completely installed on Pine Road as well as along Union Road between Pine and Basin Roads. Also, the Basin Road installation is 900 completed from Union Road and by the night of the meeting all of Basin Road should be completed. Hydrant installation is ongoing along Pine Road and upon completion of same, the main will then be charged. Following the completion of Basin Road and connection to where the current main terminates (end of the Atlantic Care Property), the contractor will return to Union Road and proceed toward Oak Road, then down Oak to the White Horse Pike. Progress has been steady and without any major incidents at this point. We will be contacting the lateral contractor (Contract 2) to determine when they intend to begin along Pine Road.

**9. 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.

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

On July 11, 2012 Town representatives met with Pinelands representatives to review the progress to date as it relates to the Boyer Avenue plan to maximize discharge. The initial activity involved the max loading of the trenches which through December 2010 and July 2011, the discharge to the stream was for the most part eliminated and therefore showing significant progress to the Pinelands. Following the significant hurricanes and storms experienced in August of 2011, the ability to recover from the saturated groundwater took its toll on the ability to eliminate surface water discharge. Later in the process (January 2012 through March, 2012) some of the trenches were removed from service for maintenance.

The Pinelands is concerned that the progress on achieving the elimination stream discharge has slowed. Although there is a recognition that stream discharge will need to remain in some fashion and as such is in violation of the current regulation whereby there shall be no discharge to a Pinelands receiving water, there was optimism that a more consistent discharge to the Boyer Avenue site and less reliance on stream would prevail.

We reported that maximum trench loading along with the installation of drip irrigation was theorized to better achieve consistent discharge to the Boyer Avenue land application facility. At present, we have submitted to the permitting agencies for the drip irrigation component not only on the wooded portions but beneath the recreational fields which will serve as their source of irrigation.

There was an original interpretation from the NJDEP regarding the drip irrigation submission that was not favorable to the Town. An inquiry was made to the Section Chief regarding the initial review and our expectation that it should be otherwise was upheld. The issue involved the potential to further treat the effluent before it was applied through drip irrigation. This will not be the case.

Following the implementation of drip irrigation, we will be in a better position to evaluate the level of future reliance on stream discharge.

**PUBLIC WORKS INFORMATION ITEMS**

**11. 2012 Roadway/Drainage Projects (ARH #11-40045 & 46):**

As authorized, our Survey Department has begun the fieldwork for the Grape Street and Pratt 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. The initial base plans for Packard Street and Second Street have been plotted and we are in the process of completing the conceptual design plans for these two streets.

**12. Skinner Building – Egg Harbor Road (11-01074):**

An HDSRF Grant (\$39,643) was prepared by ARH sometime ago as requested by Council for this case and recently approved by NJDEP and NJEDA on May 16, 2012. **It is understood that the Town (Frank Zuber) is currently trying to satisfy NJEDA’s requirements to provide written acceptance of the grant and other administrative items.**

In connection with the grant approval, ARH provided the Town with a proposal dated May 21, 2012, to complete the ‘site investigation’ work. **Once the funding is in place, it recommended that the Town authorize the work in the total amount of \$38,535.**

ARH also recently met on-site with Town staff and a tank removal contractor to discuss the scope of the non-grant funded work (i.e., tank removals, waste disposal, etc.); and for which a proposal is forthcoming. It is understood that the Town intends to fund some or all of this work through Ordinance #017-2012, which provided for \$158,130 for the safe demolition of the building.

Also, in discussion with the Public Works Manager/Business Administrator, it is felt that maybe some additional funds that may be secured for UST removal and some clean-up with Jerry’s assistance, ARH will make additional inquiries related to possible funding and keep Council informed of the findings.

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

As authorized last Council meeting, ARH has begun the work as detailed in our proposal in order to work towards the initial submission of the Tax Map to the State, Division of Taxation. We will keep Council informed of further progress.

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

We have finalized the contract reimbursement documents and forwarded same to the Atlantic County Improvement Authority for their review. The reimbursement of expended construction funds totaling \$251,567.64 was included with the request.

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

A pre-construction meeting was held on Friday July 6, 2012; the Contractor was issued a notice to proceed for July 23, 2012. The project duration is 90 days and should be substantially complete by October 21, 2012. There is a ground breaking ceremony scheduled for July 26, 2012, additional details to be provided by the business administrator.

**16. 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.

**17. 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.

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

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.**

**19. Berenato Property – Second Road (11-01083): No Status Change**

ARH has recently been working with the Town Solicitor regarding the lawsuit/ mediation. This work included the review of an *Expert Report* (April 27, 2012) prepared by Trillium, and a letter (dated January 6, 2012) prepared by PT Consultants along with their associated cost estimate. Additionally, ARH completed a review of secondary source information and 'windshield' survey of the wetland areas on-site. Understanding that the Town needs to continue to review/ address this matter, ARH is available to provide further assistance to the Town, as requested.

1. Airport restaurant lease (Town has met state requirements for bidding with no results)

Motion by Councilperson Carpo, seconded by Councilperson Esposito, authorize Solicitor to negotiate lease.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. Thru the fence agreement

Motion by Councilperson Furgione, seconded by Councilperson Esposito, authorize Solicitor to make formal notification that effective August 1st the fence will be blocked.

Councilman Rodio stated for the record that a large part of the reason for this action is due to FAA funding requirements.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

3. COAH status

4. AutoZone Grinder Pump Agreement

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize Mayor DiDonato to sign AutoZone Grinder Pump Agreement.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

5. Stockton Update
6. Pulte/Traditions at Blueberry Ridge Update (retention of contractor)

Motion by Councilperson Carpo, seconded by Councilperson Pullia, authorize advertise for RFP's for consultant.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Deputy Mayor Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Recused

Deputy Mayor Rodio declared the motion carried.

Mayor DiDonato advised the reason for his recusal is that a KMD subcontractor may be interested in this project.

7. Berenato (ok to authorize appraisal)

Motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize Solicitor to obtain an appraisal for 2<sup>nd</sup> Road property.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Mayor DiDonato advised that the flags are being flown at half staff due to the tragedy in Colorado.

PWM/BUSINESS ADMINISTRATOR REPORT

1. Reverse auction – Energy Supply
2. Boyer Ave. Project – Groundbreaking ceremony  
July 26, 2012 at 5 PM at the Recreation Complex
3. Fuel consumption
4. Phone carrier consolidated billing savings
5. NJ Youth Corps – Community Service Project 11<sup>th</sup> Street Park
6. PW Bulky August 6 – August 10
7. PW Brush August 13 – August 17

8. PW Spacing of Trash Containers
9. Report on energy upgrades and improvements status

TOWN CLERK REPORT

1. Authorize waiver of curb & sidewalk B1302, L 24 & release of escrow  
\*waiver requested due to Atlantic County denying road opening permit due to drainage in this area

Motion by Councilperson Pullia, seconded by Councilperson Esposito, in consideration of Atlantic County letter concerning drainage issues in this area, approve Town Clerk Report Item 1 to waive curb & sidewalk for DiMatteo and release escrow posted for same.

A discussion of council was held concerning the possibility of creating an ordinance that would require applicants receiving a sidewalk and/or curb waiver to post a fee in lieu of installation of sidewalk/curb so that the town may utilize same for upgrades to sidewalks/curbs in other areas of town.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. Accept resignation Patrick Joyce as Board of Adjustment member eff 6/29/12

Motion by Councilperson Pullia, seconded by Councilperson Carpo, approve Town Clerk Report Item 2.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

3. Appt Thomas Gribbin Bd of Adj, 4 yr term, to unexpired term of Joyce to expire 12/31/15

Motion by Councilperson Pullia, seconded by Councilperson Esposito, approve Town Clerk Report Item 3.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes  
Torrissi - Absent  
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Esposito, seconded by Councilperson Pullia, approve the bill list and purchase orders for July 2012.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES TO BE INTRODUCED  
Ordinance #021-2012 Capital Ordinance Power Purchase

Ordinance #021-2012

CAPITAL ORDINANCE APPROPRIATING \$200,000 FOR CERTAIN PRELIMINARY COSTS ASSOCIATED WITH THE SIGNING OF A POWER PURCHASE AGREEMENT WITH HUDSON ENERGY SOLAR CORP. WITH 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 \$200,000 for certain engineering, legal, and environmental costs associated with the signing of a power purchase agreement (PPA) with Hudson Energy Solar Corp. (Hudson), dated as of May 30, 2012. The PPA authorizes Hudson to install photovoltaic panels and associated equipment on land owned by the Town. The PPA requires the Town to incur certain preliminary costs preceding the implementation of the PPA. These preliminary costs will be reimbursed to the Town once Hudson fulfills its requirements of the power purchase agreement.

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 Esposito, seconded by Councilperson Carpo, the ordinance be taken up for and pass first reading and given legal publication.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #022-2012 Amend Chapter 261-9 Towing Fees

Ordinance #022-2012  
AN ORDINANCE AMENDING Chapter 261-9  
of the Code of the Town of Hammonton  
Entitled "Towing Maximum Fee Schedule"

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 261-9 of the Code of the Town of Hammonton be amended as follows:

Basic tow	\$125
Minimal winching	\$ 50
Clean up fee if warranted by tower (up to 11,500 GVW, if over time and material will apply)	\$ 40
Charge for each additional 24 hours' storage	\$ 30
Inside Storage per Day	\$ 50
Wait time other than basic tow (first half hour free)	\$ 75 per hour
Removal of abandoned vehicles as directed by Chief of Police (no charge to Town of Hammonton)	\$125
Additional cost for a second tow truck, if needed	\$ 75 per hour

ADDITIONAL CHARGES:

Administrative fee	\$ 35
Gate fee after hours	\$ 55
Yard fee	\$ 40

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R071-2012 Renew Liquor License – Estate of Cosimo Ricca

R#071-2012

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,  
 ATLANTIC COUNTY, NEW JERSEY,  
 AUTHORIZING THE ISSUANCE OF ABC LICENSE(S)  
 FOR THE 2010-11, 2011-12, 2012-13 LICENSE TERMS

WHEREAS, it is a requirement of NJ ABC that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

WHEREAS, NJ ABC has reviewed said license(s) and determined that the licensee has established good cause in accordance with N.J.S.A. 33:1-12.39 and has granted the licensee a Special Ruling for renewal of said liquor license with a special condition that the license must be active on or before June 30, 2014;

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND THE STATE OF NEW JERSEY that it is hereby specifically determined and declared that the following named persons and corporation, if any, be and they are hereby adjudged to be entitled to a license of the class hereinafter specified to sell alcoholic beverages at or on the premises as herein fixed and described to wit:

0113 44 004 006 Est. of Cosimo Ricca Sr.

t/a Fairview Liquor & Deli  
Location: (pocket)

BE IT FURTHER RESOLVED that each and everyone of the foregoing hereinbefore named persons and corporations be and the same are hereby granted a License of the class specified for the sale of Alcoholic Beverages at retail at and on the premises as hereinbefore in connection with each licensee described. Such license shall be for the term of one year.

#R072-2012 Authorize Various Refunds

#R072-2012

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

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

Nextell	Planning Board Escrow	\$ 775.00
Dream Works	Planning Board Escrow	\$ 531.25
Defender Security	Electric Permit Fee	\$ 51.00

#R073-2012 Authorize Sustainable Jersey Grant Application

#R073-2012

Resolution of Support from Local Governing Body Authorizing the  
Sustainable Jersey® Grant funded by PSEG  
Town of Hammonton

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Town of Hammonton strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Town of Hammonton is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants funded by PSEG;

THEREFORE, the Town Council of the Town of Hammonton has determined that the Town of Hammonton should apply for the aforementioned Grant.

**THEREFORE, BE IT RESOLVED**, that Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, authorizes the submission of the aforementioned Sustainable Jersey Grant funded by PSEG.

#R074-2012 Tax Amendment Resolution

#R 074-2012

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

B&L	NAME	ADDRESS	AMOUNT	ACCT	REASON	PER
3501-43	Sceia	717 Bellevue Ave.	1,952.27	Tax	Refund Guardian Settlement	Rosie

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

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

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

#R075-2012 Capital Budget Amendment PPA Agreement

#R075-2012  
TOWN OF HAMMONTON  
CAPITAL BUDGET AMENDMENT

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

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

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

General Capital Fund

<u>Purpose</u>	<u>Total</u>	<i>Hudson Solar</i> <u>Energy Corp.(1)</u>
Preliminary Costs Associated with PPA Agreement	<u>\$200,000.00</u>	<u>\$200,000.00</u>

**(1) Agreement dated May 30, 2012**

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

#R076-2012 Extend Tax Due Date 25 days from postmark

#R 076 -2012  
RESOLUTION

WHEREAS, the 2012-2013 preliminary tax bills will be mailed late due to a delay in the establishment of the new tax rate by the county;

WHEREAS, we do not have an exact date as to when the bills will be mailed;

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Town of Hammonton to authorize and direct the tax collector to extend the due date of the August quarter taxes to 25 days from the date of mailing.

BE IT FURTHER RESOLVED that the last day to pay taxes is September 1, 2012.

Motion by Councilperson Carpo, seconded by Councilperson Furgione, resolutions 71-76 are adopted.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Mark Santora – Old Forks Road

Mr. Santora, referring to Planning Board Meeting of June, 1991, stated he has documentation that shows that an easement involving the Melendez family was purchased and asked if Mayor and Council are aware of this?

Councilwoman Carpo stated Mayor and Council approved the hiring of a professional this evening to look into the legalities of remedying the problems at Pulte/Blueberry Ridge Development and assured Mr. Santora that this council is taking every measure to handle this problem legally.

Mr. Santora questioned his mother's records request once again?

Mr. Howell, Town Solicitor, stated the lawyers for the bonding company have allowed him to release most records pertaining to Mrs. Santora's request but not anything currently in negotiations and he will try to have the records to Mr. Santora by this Thursday.

Mr. Santora stated moving toward a wet basin concept will not alleviate the drainage problems the Santora family is experiencing.

Mr. Howell assured Mr. Santora that this council is very sensitive to the Santora's issues as well as all the homeowner's issues in this area.

Councilman Furgione commended police officers and town employees as well as business owners who did an outstanding job of helping each other during the last major storm that left surrounding communities without electric for at least a week.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk