

Special Meeting of Mayor and Council
October 12, 2012 @ 4:00 p.m.
Town Hall Council Chambers, 100 Central Avenue
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:
Carpo – Present via telephone
Esposito – Present via telephone
Furgione - Present
Pullia - Present
Rodio - Present
Torrissi - Absent
Mayor DiDonato - Present

PRESENT ALSO

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

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVE CHANGE ORDERS – BOYER AVENUE PROJECT

C.O.#1 Irrigation Connections	\$-0-
C.O.#2 Perforated Pipe	\$39,253.50
C.O.#3 Additional Paving	\$20,491.00

A lengthy discussion of Mayor and Council and Mr. Cella of ARH was held concerning approval of change orders for Boyer Avenue Project. It was agreed to take each change order approval separately.

Motion by Councilperson Furgione, seconded by Councilperson Pullia, approve Boyer Avenue Project Change Order #1.

ROLL CALL

Councilpersons:
Carpo - Yes
Esposito - Yes
Furgione - Yes
Pullia - Yes
Rodio - Yes
Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Motion by Councilperson Carpo, seconded by Councilperson Rodio, approve Boyer Avenue Project Change Order #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.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve Boyer Avenue Project Change Orders #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.

#R102A-2012 Authorize Change Orders and Authorize Exceed 20% Bid – Stockton Project

#R102A-2012

RESOLUTION AUTHORIZING CHANGE ORDER #4 TO THE CONTRACT WITH MJJ CONSTRUCTION LLC FOR THE STOCKTON COLLEGE AT HAMMONTON PROJECT

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

WHEREAS, the Town of Hammonton has previously approved change orders #'s 1-3 for The Project totaling \$493,974.00 which thereby increased the contract amount to \$2,993,972.50; and

WHEREAS, it has now been determined that the contract must be further amended to provide for an adjustment to reflect the items set forth in change order #4, a summary of which is attached

hereto as **Exhibit A**, in the amount of \$113,942.00 which, if approved, shall increase the total change orders for this Project to the amount of \$607,916.00; and

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

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

- 1) a written certification by the contractor containing the following:
 - i) an explanation of the factual circumstances which necessitate issuance of the change order;
 - ii) a statement indicating why these circumstances could not have been foreseen;
 - iii) a statement indicating why issuance of the change order would be in the best interests of the Town of Hammonton and would not constitute an abuse of these rules;
 - iv) if the nature of the change order is technical, the certification shall include a certified statement from the contractor’s appropriate expert, such as an engineer or architect;

- 2) a request from the chief executive officer, in this case the Town Administrator, or his designee, to the governing body requesting the change order and explaining why this change order may be allowed pursuant to this provision; and

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

NOW THEREFORE BE IT RESOLVED THAT the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, has satisfied itself that the above criteria have been met and therefore hereby approve an amendment to the contract awarded to MJJ Construction LLC for the project known as Stockton College Hammonton Campus, to increase the contract in the amount of \$113,492.00 as a result of approving change order #4; and

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

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

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

Stockton Project Hammonton
Change Orders as of 10/10/12

C.O.	Purpose	Amount
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1	Site Work New Contract	\$ 347,000.00
2	Café	To be determined
3	Infill Window Jambs Masonry	\$ 24,029.00
4	Add 3 Windows 3rd Floor	\$ 6,437.00
5	Add Steel and Footing	\$ 8,802.00
6	Level Floors	\$ 11,601.00
7	Joist Hangers 2nd floor Steel Beam at room 201	\$ 4,178.00
8	Window Precast Lintels	\$ 17,415.00
9	Level toilet room floors and 2 Janitorial Closets	\$ 21,010.00
10	Under-lament floor 2 & 3	\$ 32,486.00
12	Close up Café Space	\$ 8,541.00
13	Rotten Floor Joist	\$ 1,195.00
14	Repair Lintel to existing Overhead Door	\$ 11,280.00
15	Added 9 Masonry Lintels	\$ 9,070.00
16	Aluminum Door to Wide Style	\$ 2,439.00
17	IT Hardware	\$ 69,606.00
18	Hand Dryers & Tile Changes	\$ 10,296.00
19	Drywall at ST #2	\$ -
20	Additional Demo Site work	\$ 22,531.00
Total of Change Orders as of October 10, 2012		\$ 607,916.00

Grant total of Both
 20% of original contract (2,499,998.50 * 20% = \$499,999.70)
 Once we go over the \$499,999.70 we need to do a resolution. We cannot do that resolution until we know the amount we will exceed the 20%

Motion by Councilperson Esposito, seconded by Councilperson Rodio, resolution 102A is adopted.

Mayor DiDonato invited Mr. West of Stockton to the podium to advise Mayor and Council on the proposed Stockton change orders to be approved this evening.

Mr. West advised Mayor and Council on the Stockton Project and the reason for Stockton's request for change orders this evening. He advised on the necessary payment process. He also advised that Stockton is fully funding all aspects of the project.

Mayor DiDonato thanked Mr. West and Stockton Representatives for bringing their college to Hammonton.

ROLL CALL

Councilpersons:

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Torrissi - Absent

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

#R102B-2012 Amend Capital Budget – Stockton Project

#R102B-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

		<i>Local Funding</i>
<u>Purpose</u>	<u>Total</u>	<u>Source.(1)</u>
Renovation of Property	<u>\$500,000.00</u>	<u>\$500,000.00</u>

(1) The Richard Stockton College of New Jersey

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

Motion by Councilperson Pullia, seconded by Councilperson Furgione, resolution 102B 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.

Ordinance #026-2012 Capital Budget Ordinance-Stockton Project

Ordinance #026-2012

ORDINANCE AMENDING ORDINANCE #19-2012 OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY FINALLY ADOPTED JULY 23, 2012 IN ORDER TO INCREASE THE APPROPRIATION TO \$4,600,000 TO PROVIDE FOR ADDITIONAL CONSTRUCTION WORK IN CONNECTION WITH THE RENOVATION OF PROPERTY KNOWN AS 24-30 FRONT STREET, HAMMONTON, NJ

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

Section One. Ordinance #29-2012 of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") finally adopted July 23, 2012 is hereby amended to read as follows:

"CAPITAL ORDINANCE APPROPRIATING \$4,600,000 FOR THE RENOVATION OF PROPERTY IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") hereby appropriates \$4,600,000 for the renovation of property known as 24-30 Front Street located in the Town with funds received from The Richard Stockton College of New Jersey.

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

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

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

Motion by Councilperson Rodio, seconded by Councilperson Pullia, Ordinance #26 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.

REQUEST AUTHORIZATION-HIRE UP TO 4 FULL TIME TEMPORARY EMPLOYEES – LEAF SEASON
\$10.00 hr, no benefits effective Oct 29 thru leaf season at the discretion of the PWM (paid for by Clean Community Grant)

Motion by Councilperson Rodio, seconded by Councilperson Furgione, authorize PWM to hire up to 4 full time temporary employees for duration of leaf season, as needed, \$10.00 hour, no benefits.

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

No one desired to be heard.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk