

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
July 27, 2009 at 6:00 P.M.

Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Barberio - P
Bertino - Absent
Lewis - P
Petrongolo - Absent
Rodio - P
Wuillermin - Absent

RECESS

Motion by Councilperson Lewis, seconded by Councilperson Barberio, recess for Dedication of New Fire Truck. Motion carried.

Enter Into Closed Session

#R 085A-2009

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. Approve Minutes
2. PBA Grievance – promotion
3. White Collar Grievance – Work Performed by Covered Employees
4. Purchasing Agent
5. Police Department – Harassment Allegation
6. Status of COAH Litigation negotiations
7. PERC – Grievance – sick leave

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 Barberio, seconded by Councilperson Rodio, enter into closed session.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - A
Lewis - Y
Petrongolo - A
Rodio - Y
Wuillermin - A
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

ROLL CALL – RESUME OPEN SESSION

Mayor DiDonato - P

Councilpersons:

Barberio - P

Bertino – P

Lewis - P

Petrongolo - P

Rodio - P

Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

Notice of this meeting has been posted on Town Hall bulletin board, mailed and e mailed to official newspapers. Please familiarize yourselves with the fire exit to the right and rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Regular Meeting - June 22, 2009

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

DISPENSE WITH REGULAR ORDER OF BUSINESS

Oath of Office – Sergeant Edward Slimm

Chief Frank Ingemi introduced newly appointed Sergeant Edward Slimm. He spoke on behalf of Sergeant Slimm.

Mayor DiDonato administered the Oath of Office for Sergeant Slimm.

Hearing Ordinance 14-2009 Repeal Chapter 202-3(b) Peace & Good Order

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y
Lewis - Y
Petrongolo - Y
Rodio - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Ordinance 15-2009 Amend Chapter 175 Skate Park

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, the ordinance be tabled and the hearing continued to the August 24, 2009 regular meeting of council to allow the Tax Assessor to notify property owners per law.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino – Y
Lewis - Y
Petrongolo - Y
Rodio - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Ordinance 16-2009 Water Conservation Ordinance

Motion by Councilperson Wuillermin, seconded by Councilperson Petrongolo, the hearing on the ordinance be continued and the Clerk be authorized to re advertise ordinance as a first reading publication with hearing to be held August 24, 2009 to amend ordinance to accommodate requirements of DEP.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino – Y
Lewis - Y
Petrongolo - Y
Rodio - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio
Report on Administration committee meeting

BUSINESS & INDUSTRY-Councilperson Petrongolo
Report on receipt of Federal funding for Stockton/Hammonton Project

EDUCATION-Councilperson Bertino

Report on construction process at Warren E. Sooy School

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Noted flyer placed in tax bills for the convenience of all tax payers and emphasized the need for taxpayers to adhere to bulky week 1st full week of month and brush pickup second week of month. He gave highway contact Scott Rivera 567-4336 for those with questions.

Award Quotes Airport

Motion by Councilperson Rodio, seconded by Councilperson Wuillermin, authorize purchase orders to the following:

Jersey Shore	HVAC	\$2,066.00
AR&A Electrical Const.	Install fixtures	\$1,850.00
Emmons Const.	Doors	\$2,135.00

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

LAW & ORDER-Mayor DiDonato

No report this month.

QUALITY OF LIFE – Councilperson Lewis

Report on a revised ordinance for shade trees that will be forthcoming.

Councilman Barberio also reported on Atlanticare resolution to offer services for seniors at the Town of Hammonton new senior/rec center.

WATER & SEWER – Councilperson Wuillermin

Report on DEP requirement for Town to adopt policies to curb Hammonton's consumption of water

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

1. Water Conservation Ordinance (11-30088)

In order to strengthen the policy for water conservation to be adopted by the Mayor and Council we would suggest that certain revisions be made to the Ordinance which will be reviewed in further detail with the Water Superintendent and the PWT Committee.

Taken up under Dispense with regular order of business.

2. Water Allocation Permit (11-30088)

As discussed with the PWT Committee, the NJDEP during their review process of the request for an increase in water allocation from the Town have been continually asking for additional information, back-up data, etc. To that end, ARH has performed the majority of the work in order to keep their review process going, and hopefully we are nearing a conclusion. ARH has provided a proposal #09-0372, dated 6/29/09 to the Mayor and Council that describes the extra work completed to date including some additional follow-up tasks that will hopefully satisfy the NJDEP concerns.

Motion by Councilman Wuillermin, seconded by Councilman Bertino, approve of the ARH proposal #09-0372 dated 6/29/09 for completion of the additional work as requested by the NJDEP in amount of \$3850.00. A copy of the Proposal is attached to this report.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

3. Universal Supply Water Service Request – Egg Harbor Road (11-30000)

We had a request from the representatives from Universal Supply for a water service connection for their small building located at 950 Egg Harbor Road, Block 4005, Lot 2. This property is located in an area where a restriction on new water service installation presently exists unless documentation of a contaminated well is presented. The applicant is requesting a waiver from that restriction since they will be hooking up to the public sanitary sewer system and would like to complete the water service hook up and restoration work at the same time. We will discuss various options with the PWT Committee and provide a recommendation to Council for consideration.

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, grant a waiver to the owners of Block 4005, Lot 2 located at 950 Egg Harbor Road to allow for connection to the Town Water system subject to compliance with the conditions as established by the PWT Committee.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

4. Wastewater Management Plan (11-01000):

On June 10, 2009, the County of Atlantic issued a letter to the Town seeking input into the WMP process. The County of Atlantic Planning Department is charged with providing a County-wide WMP for formal acceptance by NJDEP. The process involves the following:

1. Overview of the Sanitary Sewer Assessment (SSA) proposed by the NJDEP.
2. Comparison of the proposed NJDEP SSA to the existing SSA.
3. Identification of errors between the two maps.
4. Recognition and acceptance of the environmentally constrained areas within the proposed SSA.
5. Full rather than partial inclusion of parcels within the SSA.
6. Request to include parcels that are adjacent to the existing or the proposed SSA.
7. Request to include parcels that are desirous for inclusion by the Town through the WMP update process.
8. Update of the build-out analysis using GIS technologies to more accurately project future maximum build-out.

ARH has prepared a proposal to address these items in an effort to protect the Town's existing SSA as well as attempting to include other areas that would be desirous and beneficial to the Town (i.e. Hammonton Airport). The proposal is attached hereto and is in the amount of \$19,420.00.

Motion by Councilperson Wuillermin, seconded by Councilperson Lewis, authorize ARH's proposal in the amount of \$19,420.00 to start the formal process for the SSA.

Councilman Barberio questioned what portion of the project the cost covers?

Mr. Vettese responded, the cost covers the entire project. However, the Pinelands may not approve the entire project application.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

5. Community Development Funds, 2006 ADA Curb/Walk Replacement (11-40026):

We received bids for the project construction on Wednesday, July 1, 2009. Three bids were received and the results are as follows:

1. Charles Marandino, LLC of Milmay, NJ	=	\$ 79,550.00
2. Marandino Concrete of Vineland, NJ	=	\$ 91,853.00
3. Diamond Construction of Dunellen, NJ	=	\$107,669.00

We reviewed the bids with the PWT Committee and are recommending that Council approve an award to Charles Marandino, LLC or Milmay, NJ for an amount of \$79,550.00 subject to the following conditions:

1. Review and approval of the award by the Atlantic County Improvement Authority;
2. The low bidder must comply with the items contained in the Town Solicitor's review letter of July 9, 2009 prior to the Town signing the contract documents;
3. The Chief Financial Officer of the Town must provide a certification that funds are available to complete this project.

Refer to New Business for resolution awarding contract too Charles Marandino, LLC of Milmay, NJ for a total price of \$79,550.00 subject to the conditions as noted above.

SEWER & WATER INFORMATION ITEMS

6. Moss Mill Road/White Horse Pike Utility Extension (11-50124):

The contractor has been active on site and currently the sanitary sewer has been installed along the White Horse Pike, Boyer Avenue and Moss Mill Road. Additional tasks to be completed include some roadway restoration and punch list completion. The County is requiring the Contractor to wait until mid to late September to complete the restoration for Moss Mill Road. We are allowing the Contractor to complete the restoration of Boyer Avenue at that time as well.

7. Boyer Avenue Land Application Site – Drip Irrigation/Beneficial Reuse (11-50127):

Optimization Report ~

Omni Environmental proposal to explore how they could assist the Town on addressing the issues raised in the USGS study as well as how the Town could also benefit from drip irrigation/beneficial reuse throughout the Boyer Avenue acreage in the amount of \$38,000.00 was approved at the last meeting. A preliminary meeting on this task is set for July 21, 2009 with NJDEP, Pinelands and Southern Enforcement representatives.

Lee Rain – Trial Application -

As previously reported, internal meetings have been held to discuss with Town Representatives to implement the next steps for installing a trial drip irrigation/beneficial reuse process at the Boyer Avenue site. The drip irrigation/beneficial reuse process will be monitored for use in a pure wastewater discharge capacity as well as a method to provide irrigation to the playing fields on the recreation side of the property. The Town's partner in this endeavor will be Lee Rain of Vineland, NJ. Lee Rain has visited the site and is prepared to start the trial process as described above. The prerequisite of initiating the trial process is to enter into a Memorandum of Understanding (MOU) identifying the roles of Hammonton and Lee Rain was accepted at the last meeting. Lee Rain is in the process of setting dates so that the sewer department can re-clear the areas designated for the trial operation.

8. Route 54/Bellevue Avenue Utilities (11-50120):

Permitting:

Atlantic County Roadway Opening – this has been resubmitted to the County addressing their review comments. We are still waiting for a response.

NJDOT (storm water) – The application has been submitted and a permit has been approved. We have received an executed permit.

Funding:

On July 13, 2009, the resubmission package was hand delivered to USRD. This submission will allow the USRD to make a final determination on the loan request for Round 2 at an interest rate of 2.75% and further determine the amount of a Round 2 grant, if any, that will be appropriated. We are told that a final determination will be made by August 6, 2009 predicated on a complete submission.

The question is whether the Town wishes to proceed on what information they have available at this writing which is a debt service analysis consisting a total project estimate of \$2,340,000.00, delineated as follows:

Total Project Estimate:									
				Round 1 Grant	Round 1 Loan	Round 2 Grant	Round 2 Loan	Ineligible	Total
Total Water Est.	\$980,000.00	Water	\$148,470.00	\$460,600.00	\$0.00	\$370,930.00			
Total Sewer Est.	\$1,020,000.00	Sewer	\$154,530.00	\$479,400.00	\$0.00	\$386,070.00			
Total Storm Est.	\$100,000.00	Storm	\$0.00	\$0.00	\$0.00	\$100,000.00			
Total Other Est.	\$240,000.00	Ineligible	\$0.00	\$0.00	\$0.00	\$0.00			
			\$303,000.00	\$940,000.00	\$0.00	\$857,000.00	\$240,000.00	\$2,340,000.00	

Bob Scharle prepared a debt service projection on the above ratios. Obviously, if a grant is awarded for Round II, then the debt service impact improves. Otherwise, the projection to be presented is a worse case scenario.

Rob found that the impact per year on the debt service of each utility:

Utility	Round 1	Round 2	Storm - Split	Total	Customers	Ann. Cost /Cust.
Sewer	\$26,000.00	\$18,000.00	\$10,700.00	\$54,700.00	4,254	\$12.86
Water	\$25,000.00	\$17,400.00	\$10,700.00	\$53,100.00	4,317	\$12.30

The sidewalk and storm sewer costs have been split 50% to sewer and 50% to water which results in an impact (increase) to the annual debt service of \$12.86 and \$12.30 respectfully.

Assuming the Town realizes that they will need to accomplish this project regardless and it would be advantageous to obtain the funds that are pledged to this project, the following items must be completed **immediately** in order to be considered for the additional loan at 2.75% and possibly an additional grant in Round 2:

- Provide water and sewer budget projections to USRD (*currently under way by Rob Scharle*).
- Preparation of draft closing document for USRD (*Bond Counsel needs authorization*)
- Preparation of a bond ordinance in the amount of \$2,340,000.00 unless other projects are to be added (*Bond Counsel needs authorization*)
- First reading and second reading of the above ordinance.
- Authorization of professional services contracts as follows:
 - ❖ Engineering Design (additional \$40,000.00)
 - ❖ Bond Counsel (\$12,000.00)
 - ❖ Auditor (\$3,000.00)
 - ❖ Solicitor (\$15,000.00)

This information has been provided to the PWTC with a reminder that if a decision to move forward is not made timely, then there will be no consideration for a Round 2 grant or loan.

Motion by Councilman Bertino, seconded by Councilman Wuillermin, authorize Mayor to sign USRD funding letter. Motion carried.

9. Water Allocation (11-30088):

Major Modification Application:

The following is the background report that was previously filed:

The release of the draft findings associated with the aquifer study is contingent upon the Town clarifying the status of three irrigation wells under its ownership. This has been accomplished to the satisfaction of the NJDEP. According to the NJDEP, their preliminary assessment of the aquifer study reveals no

adversary impacts. It is our understanding that the NJDEP will grant an increase in allocation to meet the 10 year demand as opposed to the 15 year projection originally requested.

However, during the past month ARH has received feedback from the NJDEP regarding municipality the consumption values per capita. Hammonton's values are greater than the State's average. This observation by the NJDEP may affect the ultimate determination with regard to an increase in diversion. It appears that Hammonton will need to strengthen their water conservation ordinance which is currently under review by the Solicitor. ARH will be preparing a proposal to address ongoing issues that NJDEP is raising regarding water consumption, diversion and, ultimately, water conservation which is further detailed within items #1 and 2 of this Engineer's Report for Council's consideration.

Future Well:

ARH prepared a letter of what could possibly be of concern to NJMIC and was sent to NJMIC on June 25, 2009. NJMIC responded on July 13, 2009 and basically the response lead us to the conclusion that NJMIC would be willing to assist provided that the acquisition of the parcel in no way affected their current approval and any possible future concept. Therefore, in order to move off center with this issue, ARH will identify a corresponding acreage of the adjacent Town owned property for the possibility for a swap. Also, a meeting with the Pinelands staff to review our plan and its affect on NJMIC will be scheduled.

10. Pine, Basin & Oak Road Water Main Extension, Well Contamination (11-30138):

We have received approvals from the various agencies including the agreement from the NJDEP Spill Fund. We are finalizing the bid documents for submission to the Spill Fund in order to seek an approval for bid, and will review the cost estimate and various bid options with the PWT Committee before sending same to the NJDEP.

The Solicitor is working on the two agreements with the property owners where well sealing waiver requests were made to the NJDEP.

11. Southwest Hammonton – Sanitary Sewer Service (11-50130.01):

We are continuing with the process of revising the design plans for Phase I portion of the project to allow for the installation of the sanitary sewer within existing or proposed public right-of-ways, pump station design and contributory flow. The Solicitor is finalizing the agreement between the applicant and the Town.

12. Getty Gas Station Site Remediation (11-50128):

The consultant is in the process of testing the effluent, again related to certain items. Once the treatment process is deemed to be acceptable and the appropriate connection fees and inspection are paid to the Town, discharge of treated groundwater will be directed to the Town's system as per the agreement. The Solicitor is in the process of reviewing the Certificate of Insurance filed by the applicant.

PUBLIC WORKS INFORMATION ITEMS

13. NJDOT Transportation Enhancement Applications: (11-40035)

Applications have been prepared and submitted via the NJDOT SAGE System. The Town is requesting \$180,000 to install a parking lot and related site improvements next to the historic train station.

14. Vacant Land Analysis – COAH Calculation (P#09-0079)

We completed the mapping and vacant land analysis as authorized by Council and presented the results to Shirley Bishop so that she could provide calculations for buildout.

15. Fourth Street Reconstruction (11-40034):

Previously it was decided to include the replacement and upgrade of the water main to 12" DIP into the project scope. We have received a letter from the Pinelands Commission indicating we do not need to

submit an application. We are currently working on the application and submittal to NJDEP BSDW. This submission will be made shortly.

It should be noted an application for additional funding was submitted to NJDOT. The limits of the project now include a portion of Pleasant Street to allow for the installation of storm sewer main from Bellevue Avenue to help alleviate the drainage conditions that exist on Route 54.

16. Pratt Street Drainage Pipe Repair (11-06002.01)

The Town Highway Department has completed the stormsewer pipe repair for the various sections of pipe failure within Pratt Street. We directed a letter to the County Administrator to request the possibility of cost participation. We have received a response from the County Executive that the matter was referred to the County Engineer and Planning Department for further review. We will be meeting with the County representatives to discuss the repairs completed and review possible options for assistance. We will keep Council informed of further progress.

17. Boat House Demolition, Hammonton Lake Park (Proposal 09-0308)

As authorized last meeting, ARH has gathered data related to the building demolition and completed the application to the Pinelands Commission in order to obtain the requested permit. We are waiting for the Commission's response related to their review.

18. Central Avenue Roadway Reconstruction Project (11-40027):

At this time we are waiting for the Contractor to return to the site and complete the remaining punch list items. We will be meeting with the foreman and discussing the remaining items, after that time we will issue the Contractor a letter indicating they must complete the project in a set number of days or we will act on their performance bond.

19. Central Avenue – Walkways (11-40027):

We are continuing work of the preliminary design plans. Once the preliminary plans are complete and reviewed with the PWT Committee, the submission will be made to the County for their review and comment.

20. Hammonton Lake Park (11-90028):

Since the last reporting period the contractor has been active on site and has completed a large percentage of the project, including the paved walkways and a majority of the parking areas. Activities that should be completed by the next reporting period include the completion of the parking areas and main park access, which will lead to the closure of the existing park entrance. The major hurdle at this point of the project, relates to the relocation of the utility poles. The Contractor will be at the mercy of the utility company, and will not be able to complete the project, until all relocations are completed.

21. ACIA 2009 Funding Request (11-40038):

As requested, we directed a letter and supplied additional information to the ACIA about possibly receiving funds to assist in a portion of the costs for the construction of the Senior Center at the Hammonton Lake Park. As discussed with the PWTC, much of the work completed is in excess of our original proposal. Once we obtain a formal response from the ACIA on the information submitted, we will provide the Mayor and Council with a revised proposal so that a new P.O. could be issued for the additional work completed by ARH that was required to keep this project active for funding consideration.

22. Boyer Avenue Recreation - Phase III (11-75003):

The project has received approval for public development of the Phase III activities; which was approved at the May 8, 2009 Pinelands Commission Meeting.

Efforts are now being focused on obtaining the following permits and submissions to these agencies will be taking place as soon as possible:

Atlantic County Planning – The site fronts Moss Mill Road and we will be creating a new access on Moss Mill.

Cape-Atlantic SCD – This is required for disturbances of 5000 SF or more.

NJDEP BSDW – This is to complete the water main loop thru the park to Boyer Avenue.

NJDEP TWA – This is to install on-site sanitary sewer main.

Additionally, we are still investigating the water supply options for providing irrigation to the site. There will be additional permitting requirements related to irrigation; however which permit is needed is to be determined.

23. **Atlantic County Open Space Trust Funds – Round 8 (11-01070):**

The Town will need to provide Ranae Fehr from Atlantic County with a letter indicating the progress accomplished by the Town to date related to completing the work on the properties involved in the round #8 funding. There are a number of tasks that must be completed before the 11/20/09 deadline date for closure on the properties. If the Town wants to use the funds, it is imperative that progress is indicated. The Council will need to work with the Solicitor to finalize these items prior to the deadline or risk the loss of funds.

SOLICITOR REPORT

Line St/Washington St.: no parking request

Governing Body authorization of Metro PCS

Metro PCS: authorize Mayor to provide confirmation to Planning Board, if necessary, of Town's permission to place temporary antenna on Town property.

Mr. Morgan attorney for Metro PCS advised they are applying to Planning Board for site plan approval but felt they would like to receive approval from the property owner as well.

Mr. Suirano contractor for Metro PCS responded to questions posed by Mayor and Council concerning the proposed project.

Solicitor noted this project would be a revenue source for the Town of Hammonton.

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, grant council's approval for Metro PCS to go before Planning Board who will ultimately approve the proposed project.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Solicitor report continued

Third St. and Old Forks Rd. (speed reduction/traffic light request) police documentation sent to county.
COAH Update re: status of settlement negotiations and authorization to pay professionals from COAH fund.

Blueberry Ridge update

Mr. Adolph, representative for Pulte Development/Blueberry Ridge, was given permission to come forward and on behalf of the community thanked Mayor and Council for their time spent on resolving the problems. He feels the communication has been good and both sides have learned things from each other. He stated he feels the citizens and himself have been attending meetings which takes time but wanted to remind everyone that they represent a large group of taxpayers for the Town of Hammonton and hoped everyone could understand that. He did acknowledge the volume of work on Mayor and Council's agenda.

Solicitor report continued

Royce Run update
Condominium snow removal/trash removal services/reimbursement
ATV meeting Aug 4, 2009 @ 4:30 pm
Solid waste ordinance review
Award of Airport lease

MAYOR REPORT

Report on dedication of new fire truck to former Fire Chief Jack Donio

Approve Change Order/Joseph Porretta Builders-Senior/Rec Center

Motion by Councilperson Barberio, seconded by Councilperson Lewis, approve change order for Porretta Builders-Senior/Rec Center:

Total Additions - \$19,334.32
Total Deductions - \$25,483.10
Total Credit to Date - \$6,148.78
Additional Funding Needed for Project - \$11,642.76 for deck safety upgrades

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Lewis - Y
Petrongolo - Y
Rodio - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Mayor report continued

Set date for dedication of senior center 9/26/09 from noon-4 pm

Motion by Councilperson Lewis, seconded by Councilperson Barberio, set date for dedication of senior center.
Motion carried.

TOWN CLERK/ADMINISTRATOR REPORT

BID RESULTS

AIRPORT: REHAB OF

EXISTING PERIMETER FENCE
7/14/09 @ 1:00 PM

NAME/ADDRESS:	BID AMOUNT
ACCENT FENCE, INC., EGG HARBOR CITY, NJ	171,406.00
BUSTLETON SERVICES, INC., BENSLEM, PA	187,189.80
CARJEN FENCE, NO 1 CORP, PEEKSKILL, NY	297,217.00
E.B. FENCE, LLC, SICKLERVILLE, NJ	115,783.00
HIGHWAY SAFETY SYSTEMS, INC, HAMMONTON, NJ	94,826.00
MASTER WIRE MFG, INC, FOLSOM, NJ	112,550.50
NEW HOLLAND CHAIN LINK, NEW HOLLAND, PA	88,082.34
ROAD SAFETY SYSTEMS, SOUTHAMPTON, NJ	127,711.00

BID RESULTS
ACADEMY DRIVE REHAB
7/14/09 @ 2:00 PM

NAME/ADDRESS:	BID AMOUNT
A.E. STONE, INC, EGG HARBOR TWP, NJ	149,844.17
AMERICAN ASPHALT CO. INC, W. COLLINGSWOOD HEIGTS, NJ	154,856.87
ARAWAK PAVING CO, INC, HAMMONTON, NJ	113,900.00
CARDINAL CONTRACTING CO., SOUTHAMPTON, NJ	221,490.67

*Both airport bids to be awarded at a subsequent meeting

APPROVAL BILLS & PURCHASE ORDERS

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, approve payment of bills and approve purchase orders.

ROLL CALL

Councilpersons:
 Barberio – Y (no on Triad bills only)
 Bertino – Y
 Lewis - Y
 Petrongolo - Y

Rodio – Y (no on White Star bills)
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. From Fire Co. 2 admitting regular members John R. Valerio & Eric Monzo
*police background approved and fire chief approval received
2. From Fire Co. 2 accepting resignation of Adam Brownlee

Motion by Councilperson Barberio, seconded by Councilperson Rodio, approve communications items 1 & 2.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino – Y
Lewis - Y
Petrongolo - Y
Rodio - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #017-2009 Amend Land Development Fees

ORDINANCE #17- 2009

AN ORDINANCE TO AMEND CHAPTER 175 OF THE GENERAL
ORDINANCE OF THE TOWN OF HAMMONTON

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

Section 1. Section 175-47 of the Town of Hammonton Land Development Ordinance is amended to read as follows:

Subdivision review fees shall be as follows:

A. Minor subdivision:

- (1) Application fee: \$250.
- (2) Escrow fee: \$1,500.

B. Preliminary approval, major subdivision:

- (1) Application fee: \$500.
- (2) Escrow fee: \$4000, plus \$100 per lot.
- (3) Extension of preliminary approval:
 - (a) Application fee: \$150.

(b) Escrow fee: 20% of original escrow deposit.

(4) Substantial revision or additional review of preliminary approval:

(a) Application fee: \$250.

(b) Escrow fee: 100% of original escrow deposit for preliminary approval, major subdivision.

C. Final approval, major subdivision:

(1) Application fee: \$350.

(2) Escrow fee: 100% of original escrow deposit for preliminary approval, major subdivision.

(3) Extension of final approval:

(a) Application fee: \$150.

(b) Escrow fee: 20% of original escrow deposit.

D. Extension of minor subdivision approval:

(1) Application fee: \$150.

(2) Escrow fee: \$300

Section 2. Section 175-49 of the Town of Hammonton Land Development Ordinance is amended to read as follows:

Site plan review fees shall be as follows:

A. Minor site plan:

(1) Application fee for preliminary and final minor site plan: \$500.

(2) Escrow fee: \$3,500. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

B. Major site plan:

(1) Application fee for preliminary and final major site plan: \$1,500.

(2) Escrow fee for preliminary site plan:

(a) New commercial and/or new industrial construction: \$4,000 for the first acre of the gross area or fraction thereof, plus \$800 for each additional acre or fraction thereof. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

(b) Residential multifamily housing construction: \$8,000 for 2 to 25 dwelling units, plus \$50 per dwelling unit for every unit above 25. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

(c) Building alteration: \$2,500 for the first 3,000 square feet of gross floor area, plus \$500 per 1,000 square feet of additional gross floor area or fraction thereof. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

(3) Final escrow fees for major site plan:

(a) New commercial and/or new industrial construction: \$2,500 for the first acre of the gross area or fraction thereof, plus \$800 for each additional acre or fraction thereof. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

(b) Residential multifamily housing construction: \$8,000 for 2 to 25 units, plus \$50 per dwelling unit for every unit above 25. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

(c) Building alteration: \$2,500 for the first 3,000 square feet of gross floor area, plus \$500 per 1,000 square feet of additional floor area or fraction thereof. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

C. Change of Use

(1) Application fee: \$500

(2) Escrow fee: \$1,250. If escrow drops below 30% of the initial amount, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

Section 3. Section 175-50 of the Town of Hammonton Land Development Ordinance is amended to read as follows:

A. Fees.

(1) Hear and decide appeals: \$300.

(2) Interpretation of the Zoning Map: \$300.

(3) Hardship variance: \$200.

(a) Escrow fee: \$750.

(4) Use variance: \$250.

(a) Escrow fee: \$1,000.

(5) Conditional uses: The fee shall be that which applies to minor or major site plans, whichever category, is applicable to the application in question.

(6) Hearing for permit for building or structure:

(a) In bed of mapped street, et al: \$200.

(b) Not related to a street: \$200.

(7) Site plan waiver request: \$250.

(a) Escrow fee: \$750.

(8) Request for waiver from the requirement that curbs and sidewalks be installed: \$150

(9) Certificate of appropriateness (historical, archaeological and cultural designations):

(a) If a certificate of appropriateness is required, the application fee shall be \$100

(b) Escrow fees may be required, if necessary, as generally set forth in §§ 175-46.

(10) Certificate of subdivision approval:

(a) The fee for a certificate confirming subdivision approval shall be \$15.

(b) The fee to update this certificate shall be \$5, and the updated certificate may be reissued within two years of the original certificate.

(11) Signs.

(a) The following fees shall apply for a permit to construct a permanent new sign which is not a substantially similar replacement of a sign in that location: \$1 per square foot of surface area of a sign (calculated and applied to one side of a double-faced sign only), but in no event less than \$50.

(b) An addition to an existing permitted sign shall have a fee only as to the additional sign square footage.

(c) The fee shall be \$25 for a sign substantially similar to the sign being replaced.

(d) The fee for a permit to use a temporary, portable sign shall be \$25, which permit shall expire in 90 days.

B. Escrows. All escrows shall be \$500 unless otherwise specified or waived by the respective board. When any escrow drops below 30% of the initial amount deposited, the applicant must deposit funds to replenish escrow to 100% of initial amount deposited.

Section 4. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

Section 5. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that Judgment shall not effect, impair or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

Section 6. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

Councilman Bertino stated he questioned proposed fees and the Planning Board Solicitor assured everyone that the fees proposed are comparable to other municipalities.

Councilman Rodio read several municipalities who's fees were equal to or higher than Hammonton's proposal.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #018-2009 Amend Towing Insurance Requirements per JIF and RMC

Ordinance # 018-2009

ORDINANCE AMENDING THE CODE OF THE
TOWN OF HAMMONTON CHAPTER 261-4(d),
ENTITLED "TOWING"

BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic, New Jersey, that the Code of the Town of Hammonton, Chapter 261-4(D) be amended as follows:

- D. Towing contractors shall be required to purchase, maintain and provide during the time of service on the rotary list proof of insurance furnished by a reputable insurance company licensed to do business in the State of New Jersey, containing the following coverages with liability limits as set forth below:
1. Garage liability/comprehensive general liability insurance policy in an amount not less than \$1,000,000 combined single limit coverage bodily injury and property damage liability, including but not limited to personal injury, products liability (where applicable), independent contractor and completed operation coverage.
 2. Garagekeepers legal liability "direct primary" insurance policy in an amount not less than \$100,000. Said policy must include both comprehensive and collision and an endorsement to include on hook.
 3. Automobile liability insurance policy in an amount not less than \$1,000,000 combined single limit covering bodily injury and property damage liability including but not limited to owned, nonowned and hired vehicles.
 4. Worker's compensation insurance as required by law, including, but not limited to, statutory New Jersey Worker's Compensation benefits, and employers liability of at least \$100,000.
 5. Excess/umbrella liability. In the event that a garage liability and/or automobile liability cannot be purchased up to the required limit of \$1,000,000 an excess liability or umbrella liability policy must be purchased to effect a total liability limit of \$1,000,000. Excess or umbrella liability policies will not be required for garage or automobile policies that met or exceed the minimum limit of \$1,000,000.
 6. The garage liability policy shall name the Town of Hammonton as additional insured and certificate holder.
 7. The contractor will execute an agreement to hold harmless, indemnify and defend, at the contractor's expense, the Town, it's employees and officials from any and all claims, demands, suit or action for personal injury or property damage brought against the Town, it's employees and officials for any activities which arise out of any services performed under this chapter.

BE IT FURTHER RESOLVED that any Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect immediately upon due passage and publication according to law.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, the ordinance be taken up for first reading, pass first reading and be given legal publication.

Councilman Bertino questioned if the JIF reviewed same?

Town Clerk responded yes and this is their recommendation.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #019-2009 Amend Section B(1) Chapter 200-4 Prohibited Conduct

ORDINANCE # 19-2009

AN ORDINANCE AMENDING SECTION B(1) OF CHAPTER 200-4
ENTITLED "Prohibited Conduct"

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that Section B(1) of Chapter 200-4 entitled "Prohibited Conduct" be amended to read as follows:

B. While in a public park or recreation area, all persons shall conduct themselves in a proper and orderly manner, and in particular, no person shall:

1. Bring alcoholic beverages or drink same at any time therein.

Motion by Councilperson Barberio, seconded by Councilperson Bertino, the ordinance be taken up for first reading, pass first reading and be given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R086-2009 Award Specialized Services Contract Boyer Avenue Optimization Study

#R 86 -2009

A RESOLUTION AWARDING SPECIALIZED SERVICE CONTRACT

FOR BOYER AVENUE OPTIMIZATION STUDY

WHEREAS, there exists a need for specialized services for the Town of Hammonton, New Jersey, for Boyer Avenue Land Application Facility and Optimization Study; and

WHEREAS, funds are available under Sewer OE, and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with Omni Environmental in an amount not to exceed \$38,000.00; and

BE IT FURTHER RESOLVED that this award of specialized services contract supercedes the previous action taken under Engineer report Item 3 at the Regular Meeting of Council held June 22, 2009.

#R087-2009 Stating Governing Body Has Review the 2008 Audit

#R 087 -2009

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the **Annual Report of Audit for the year 2008** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon

conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Town Council of the Town of Hammonton, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#R088-2009 Mayor and Council's Approval to Lease of 4 new Police Cars

#R 88-2009

A RESOLUTION APPROVING LEASE CONTRACT FOR POLICE VEHICLES

WHEREAS, there exists a need for lease/purchase of (4) police vehicles for the Hammonton Police Department; and

WHEREAS, funds are available under the appropriate budget appropriations; and

WHEREAS, N.J.S.A. 40A:11-1-et seq. requires that the resolution authorizing the awarding of the contract for professional services without competitive bidding and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into a lease agreement with TD Equipment Finance for (4) police vehicles purchased from Winner Ford, and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law and as a State Approved Contractor #A45069, and

BE IT FURTHER RESOLVED that the newly purchased police vehicles will proudly display the Town of Hammonton blueberry logo within 30 days.

#R088A-2009 Accept EDA Grant Celona Property \$33,044.00

RESOLUTION: # 088A-2009

RESOLUTION ACCEPTING A GRANT FROM THE
HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM
THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Town of Hammonton, County of Atlantic, has applied for and has been awarded a grant in the amount of **\$33,044.00** from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the preliminary assessment site investigation along with report preparation of the **Celona Property**;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the Mayor and Town Clerk are hereby authorized to execute any and all agreements or other documents related to this grant authorization.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

#R088B-2009 Accept EDA Grant Westcoat Property \$13,848.00

RESOLUTION: # 088B-2009

RESOLUTION ACCEPTING A GRANT FROM THE
HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM
THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY
AND DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Town of Hammonton, County of Atlantic, has applied for and has been awarded a grant in the amount of **\$13,848.00** from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the preliminary assessment site investigation along with report preparation of **the Westcoat Property**;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the Mayor and Town Clerk are hereby authorized to execute any and all agreements or other documents related to this grant authorization.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

#R089-2009 Amend 2009 Budget to Insert the EDA Grants (Celona & Westcoat Properties)

#R 89-2009

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received the following grants and wishes to amend its Budget to include this amount as a revenue:

HDSRF Public Entity Grant Program Application # P25953 \$13,848.00 Westcoat Property
HDSRF Public Entity Grant Program Application # P23645 \$33,044.00 Celona Property

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the **2009 Budget in the sum of \$ 46,892.00** which is now available as a revenue in the Town of Hammonton Municipal Budget under the title of **Grants**.

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R090-2009 Approve Corrective Action Plan for 2008 Audit Finding

#R 90-2009
TOWN OF HAMMONTON
CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2008.

WHEREAS, in accordance with the requirements of the Division of Local Government Services, at the completion of the audit, the local government unit shall prepare a Corrective Action Plan to address each audit finding in the current year audit report; and

WHEREAS, the Corrective Action Plan of the Town of Hammonton for the 2008 Report of Audit is as follows:

Finding No. 2008-1:

Condition:

A calculation of the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees was not obtained.

Recommendation: That the Town obtain the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees.

Corrective Action: This required disclosure is mandated by a new accounting disclosure standard adopted by the Governmental Accounting Standards Board (GASB) Statement No. 45. In New Jersey, municipalities and counties report and budget under regulatory accounting practices and therefore are not required to "book" OPEB future obligations. The Town carries its medical health insurance with the State Health Benefits Program (SHBP). The required disclosure, with which the Town complies, only references where information can be found on the SHBP and is not required to include any future obligation. The dental and vision insurance coverage is contracted through a private carrier and only represents less than 10% of the Town's total annual SHBP obligation. Therefore, since there is no financial impact on the Town for not obtaining the actuarially calculated obligation for its future cost of dental and vision insurance coverage for retired employees, the Town will evaluate the cost/benefit of budgeting taxpayer funds in the next budget year in order to solely comply with a financial disclosure requirement that has no financial impact on the Town's operations.

BE IT RESOLVED, that the Corrective Action Plan for the 2008 Report of Audit of the Town of Hammonton be approved by the Governing Body of the Town of Hammonton; and

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Division of Local Government Services.

#R091-2009 Tax Resolution July

#R 91-2009

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
3003-3	Presti	306 Locust	0.45	Sewer	cancel small balance	Rosie
3801-30	Pyfrin	101 Batchelor	0.5	Sewer	cancel small balance	Rosie
5001-3	Zuccarello	545 Oak	3.32	Tax	cancel small balance	Rosie
3901-14	Gazzara	56 Main	0.02	Tax	cancel small balance	Rosie

3102-6	Zawrotny	665 Bellevue	1577.23	Tax	refund first american	Rosie
2803-18	Ruberton	111 Vine	352.59	Tax	Town use's	Rosie
2811-2	Hammonton	208 vine	1903.96	Tax	Tax Exempt	Rosie
3102-6	Zawrotny	665 Bellevue	3232.45	Tax	Tax Exempt & Dis Vet	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.

#R092-2009 Canceling Unused Debt

**#R 092-2009
TOWN OF HAMMONTON**

WHEREAS, there are improvement authorizations on the Town's books that Governing Body desires to cancel; and

WHEREAS, the following is the detail of the items to be canceled:

General Capital Fund

Ord. #/Purpose

***Debt
Authorized***

Ord. #5-09 Refunding Bond Ordinance

\$160,000.00

Sewer Utility Capital Fund

***Reserve for
Payment of
Bonds***

Ord. #3-04 Refunding FmHA Loans

\$ 42,294.07

BE IT RESOLVED, that the improvement authorizations listed above be canceled and that the Treasurer's Office record this action in the books and records of the Town of Hammonton.

#R093-2009 Cancel Outstanding Court & Bail Accounts

**#R 093-2009
RESOLUTION**

WHEREAS, the following checks, from the Municipal Court and Bail Accounts are outstanding for more than six months

WHEREAS, the auditors recommend canceling said checks

CHECK NUMBER	CHECK AMOUNT
2479	131.00
2491	4.00
2504	1.00
2505	6.00
2514	1.00
2515	8.00
2516	1.00
2533	1.00
2545	9.00
2576	1.00
2594	115.00
2595	1.00
2600	1.00
2601	11.00
2635	50.00
4493	280.00
4543	1.00
4617	1.00
4645	3.00
4856	22.00
4863	1.00
4870	1.00
4915	5.00
5085	100.00
5151	1.00
5155	1.00

NOW THEREFORE BE IT RESOLVED by Mayor and Council to authorize the Town Accountant to cancel the above checks.

#R094-2009 Award Professional Services Contract for Technical Assistant-Small Cities Program

RESOLUTION # 94-2009

RESOLUTION AWARDING A PROFESSIONAL SERVICES
CONTRACT TO JOSEPH KENNEY

WHEREAS, the Town of Hammonton desires to retain the services of a consultant to provide professional services for Technical Assistant for Small Cities Program; and

WHEREAS, Joseph Kenney of Pittsgrove, New Jersey qualifies as a professional providing the services requested by the Town of Hammonton; and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that a Professional Services contract be entered into with Joseph Kenney consistent with the form of contract which is annexed hereto and made a part hereof;

BE IT FURTHER RESOLVED that the Mayor of the Town of Hammonton is authorized to execute a contract with Joseph Kenney on behalf of the Town of Hammonton; and

#R095-2009 Set Copy Fee for Records Requests

7 - 27 - 09

RESOLUTION # 95-2009

RESOLUTION SETTING A FEE PER PHOTO COPY
FOR RECORDS REQUESTS

WHEREAS, a recent court decision has required Municipalities to charge the actual cost per copy when issuing records requested by the public;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the cost per copy fee be set at .05 cents per page for all records requested by and issued to public;

BE IT FURTHER RESOLVED that the cost for copying audio/video tapes, dvd's and/or cd's be set by the vendor performing the copying on the Town of Hammonton's behalf.

#R096-2009 Extend Tax Bill Deadline to September 1, 2009

#R96-2009
RESOLUTION

WHEREAS, the 2009-2010 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, 2009.

#R097-2009 Authorize Atlantic Electric Easement for Senior/Rec Center

RESOLUTION # 97-2009

A RESOLUTION AUTHORIZING A DEED OF EASEMENT TO ATLANTIC CITY ELECTRIC COMPANY FOR UTILITY EXTENSION TO PARK AVENUE

WHEREAS, the Town of Hammonton has commenced the development of the NEW SENIOR/RECREATION CENTER; and

WHEREAS, the subject site requires that electric service be provided by Atlantic City Electric Co.; and

WHEREAS, an Easement to the electric supplier is necessary for the installation of poles, wires, cables and fixtures upon and across Lot 15 in Block 3801 on tax map in the Town of Hammonton

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY that an Easement be given to Atlantic City Electric Company for the purposes stated in the Deed of Easement which is annexed hereto and made a part hereof;

BE IT FURTHER RESOLVED that the Mayor and Town Clerk/Administrator are hereby authorized to execute the Easement on behalf of the Town of Hammonton.

#R098-2009 Cancel Outside Detail Accounts that are Closed

#R 098-2009

WHEREAS, the following outside detail accounts are no longer in use

WHEREAS, the town auditors request the said balances on old accounts be refunded or dissolved into the Treasurers Acct.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Frank Zuber, Town Accountant, is hereby authorized to refund the following outside detail escrows:

R. Welton, Inc.	\$110.00
Neon Optica, Inc.	\$715.00
Tabasco Drilling Co.	\$3,070.00
S.J. Enduro Riders	\$55.00
Fondacaro Fencing	\$192.50

#R099-2009 Renew Liquor License – Double U Mineral

R# 99 -2009

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSES
BEGINNING JULY 1, 2009 AND EXPIRING JUNE 30, 2010

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

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND THE STATE OF NEW JERSEY:

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 33 022 013
Double U Mineral Trading Inc.
t/a Tommy B Main St. Liq.
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.

#R100-2009 Award Bid Third & Walmer

**RESOLUTION #100-2009
RESOLUTION OF PROJECT AWARD FOR THIRD AND WALMER STREET
ADA IMPROVEMENTS**

WHEREAS, the Mayor and Town Council of the Town of Hammonton desires to complete improvements to the intersection of Third and Walmer Street in order to comply with the most recent ADA standards; and

WHEREAS, the Mayor and Town Council have adopted Ordinance #16-2007 in order to secure the funds necessary to complete the required project improvements; and

WHEREAS, the Town is eligible to use a portion of the 2006 Atlantic County Improvement Authority Grant allotment to the Town for the completion of the project; and

WHEREAS, the project was properly advertised in accordance with applicable regulations and bids were received by the Town Engineer on Wednesday, July 1, 2009; and

WHEREAS, the low bid for completion of improvements was received from Charles Marandino, L.L.C. of Milmay, N.J. for a total bid amount of \$79,550.00; and

WHEREAS, the bid documents for the lowest responsible bidder were reviewed by the Town Solicitor for which a letter was issue dated July 9, 2009 stipulating that the bid documents appear to be in order and there is no impediment to awarding the bid to the low bidder; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that an award for the Third and Walmer Street ADA Improvements Project be made to Charles Marandino, LLC of Milmay, N.J. in the amount of \$79,550.00 subject to the following conditions:

1. Review and approval of the award by the Atlantic County Improvement Authority;
2. The low bidder must comply with the items contained in the Town Solicitor's review letter of July 9, 2009 prior to the Town signing the contract documents;
3. The Chief Financial Officer of the Town must provide a certification that funds are available to complete this project.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, resolutions 86 through 100 be adopted.

Councilman Bertino questioned resolution 94?

Mr. Zuber responded this is for small cities and fully funded by grant.

Solicitor requested Bowman be removed from resolution 98 for outside detail refunds.

The clerk removed same.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

John Bee

Mr. Bee concurred with Solicitor concerning the meeting concerning COAH litigation. Mr. Bee spoke briefly on the subject and advised public the reason for redevelopment zone was to rid the town of derelict properties and help the economic status of the town. He reviewed smart growth plan prepared by Peter Karabashian and found some recommendations made at that time to aid in developing downtown area such as:

Payment in lieu of taxes
Rezone MD zone
Encourage pedestrian traffic
Work with DOT in redirecting heavy truck traffic
Promote street scaping
Promote public parking
Farmland preservation initiatives

He recommended, in developing the ordinances its worth thinking about how to help the economic status of the town. He noted approximately 6 businesses have closed on mainstreet. He encouraged the town to follow up on the recommendations.

Joe Ingemi

Mr. Ingemi questioned Stockton/Hammonton report earlier this evening. Is there a plan for another funding source should the current anticipated funding not be approved by the legislature?

Mayor DiDonato stated he expects to receive the necessary funding to cover the entire project.

Mark Santora

Mr. Santora stated the basin is starting to overflow again at Blueberry Ridge and asked council to stop out to look at same.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Deputy Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.