

Minutes Regular Meeting of Mayor and Council – February 25, 2013
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

Agendas & Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:

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

PRESENT ALSO

Brian Howell, Town Solicitor
Jerry Barberio, PWM/Business Administrator

Executive Session

#R023-2013

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. Berenato/Landfill Closure Fund
2. Tax Sale Procedures
3. PULTE Litigation
4. Martell Bond Claim (Stockton)
5. Treatment Solutions Litigation
6. Online Tax Payments – Privacy
7. Middle Management Position – Highway Department
8. Set hours worked per week with NJSHBP

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 to enter executive session is adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes
Carpo - Yes
Esposito - Yes
Furgione - Yes
Pullia - Yes

Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME REGULAR MEETING-ROLL CALL

Councilpersons:
Bachalis - Present
Carpo - Present
Esposito - Present
Furgione - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

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

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Special Meeting of January 17, 2013
Executive Session of January 28, 2013
Regular Meeting of January 28, 2013

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Hearing Person to Person Transfer Plenary Retail Distribution License Bellevue Wines & Liquors

A hearing was held with no one desiring to be heard.

2. #R023A-2013 Authorize Transfer Liquor License from Est. of Cosimo Ricca to Bellevue Wines & Liquors

#R023A-2013

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Distribution License 0113-44-004-006;

WHEREAS, the submitted application form is complete in all respects, transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, a police background check has revealed the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the transfer of the aforesaid Plenary Retail Distribution License to Bellevue Wines & Liquors LLC, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to Bellevue Wines & Liquors LLC.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. Hearing & Adoption Ordinance #001-2013 Setting Speed Limit Mardor Avenue

Ordinance #001-2013

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

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

Name of Road	Zone Description	Maximum Speed Limit (mph)
Mardor Avenue	Entire Length	15

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

Mr. Brian Howell, Town Solicitor, advised Mayor and Council to table the ordinance for investigation.

Motion by Councilperson Bachalis, seconded by Councilperson Esposito, the hearing is closed and the ordinance is tabled for further study.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

4. Re-Introduce Ordinance #002-2013 No Turn Pleasant Mills Road and White Horse Pike as amended

Ordinance # 002-2013
AN ORDINANCE
AMENDING ORDINANCE 271-26

§271-26

WHEREAS, based upon a recommendation from the Atlantic County Engineer's Office as confirmed by an investigation by the Hammonton Police Department, it has been determined that public safety requires a restriction on certain left-hand turns at the easterly intersection of US Route 30 (White Horse Pike) and County Route 542 (Pleasant Mills Road), as follows:

A. Lane Use Reservations, **ADD:**

Intersection

Easterly intersection of Rt. 542
and US Rt. 30

Movement

Westbound lane of Rt. 542 reserved
for right turn only

WHEREAS, signage and pavement markings contained in the attached Schedule A (but limited to those signage and pavement marking necessary to effectuate the restrictions set forth above) prepared by William J. Day, P.E. as File No. TS-6073A are hereby authorized to be installed.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT:

1. Chapter 271-26 of the Town of Hammonton Code shall be revised with an amendment consistent with the above which is hereby adopted by Mayor and Council on March 18, , 2013.
2. The Clerk of the Town of Hammonton is hereby authorized and directed to forward a certified copy of this ordinance to the Clerk of the Board of Chosen Freeholders of the County of Atlantic, requesting the Board's consent to this lane use reservation.
3. This ordinance shall not take effect until 20 days after the adoption of a resolution consenting to this ordinance by the Board of Chosen Freeholders of the County of Atlantic, and until the proper traffic control signs and pavement marking have been erected.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, the ordinance is taken up for re-introduction as amended, passed first reading and given legal publication.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

#R023E-2013 Request NJ DOT Commissioner "No Left Turn" W.H.P. to Pleasant Mills Road

RESOLUTION REQUESTING NJ DOT COMMISSIONER APPROVALT O LIMIT LEFT HAND
TURNS FROM ROUTE 30 EASTBOUND ONTO EASTBOUND COUNTY ROUTE 542

WHEREAS, the Town of Hammonton and the County of Atlantic are in the process of adopting an Ordinance and a Resolution, respectively, limiting left hand turns from westbound County Route 542 onto eastbound U.S. Route 30; and

WHEREAS, at the aforesaid intersection, in the opinion of the Town of Hammonton Chief of Police and Engineer, the vehicles proceeding in an easterly direction on U.S. Route 30 attempting to make a left hand turn onto westbound County Route 542 is an extreme traffic hazard; and

WHEREAS, Mayor and Council wish the Commissioner of the Department of Transportation to conduct the necessary investigation to restrict left hand turns as described above.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, that the Clerk of the Town of Hammonton is authorized to submit a copy of this Resolution to the Commission of the Department of Transportation for appropriate action.

Motion by Councilperson Carpo, seconded by Councilperson Bachalis, the resolution is adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

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

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito
Report on 2/19/13 Administration Meeting

Business & Industry-Councilperson Esposito
Welcomed new businesses
Congratulations to Hammonton Revitalization Committee for Downtown Mainstreet semi finalist

Education-Councilperson Furgione
Report on Stockton College Functions
Report on Board of Education matters

Public Works & Transportation-Councilperson Rodio
Schedule Public Meeting for Grape Street Reconstruction - Monday, March 11, 2013 at 7:00 p.m.
(allow for addition of necessary agenda items)
Report on Anderson Avenue Project
Report on Chew Road Project

Quality of Life – Councilperson Bachalis
Advised on correction to report on Hammonton's Recycling Rate
Advised that Lake Cleanup Day will take place on March 2
Advised of upcoming Hammonton Lake Testing – Water Quality Analysis
Authorize Town to participate in Earth Hour

Motion by Councilperson Esposito, seconded by Councilperson Rodio, authorize participation in Earth Hour.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Water & Sewer – Councilperson Pullia
Advised of Action Items which will be taken up under the Engineer Report
Michael Ott, Assistant Water Treatment Plant Operator, reported test results of Hammonton Water
Report on Solar Project Status

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

1. Water Quality Management (WQM) (11-5000)

RESOLUTION # 023C- 2013
ATLANTIC COUNTY WATER QUALITY
MANAGEMENT (WQM) PLAN AMENDMENTS

WHEREAS, the Atlantic County Department of Regional Planning and Development (ACDRPD) has completed a map noting proposed amendments to the Atlantic County Water Quality Management (WQM) Plan for the Town of Hammonton; and

WHEREAS, the ACDRPD has forwarded a copy of the WQM plan to the Municipal Utilities Department (MUD) Superintendent of the Town of Hammonton for review and comment; and

WHEREAS, the MUD Superintendent, Town Engineer's Office and the Public Works and Transportation Committee (PWTC) of Mayor and Town Council has reviewed the proposed amendments to the WQM Plan; and

WHEREAS, it is felt there are certain sections of the WQM Plan where minor revisions would be warranted in order to serve the individual property owners that presently abut the existing sanitary sewer service area that would be in the best interest of the general public's good health.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey that a revised map be forwarded to the ACDRPD, along with a general explanation that would include the minor revisions to the suggested amendments to the WQM Plan.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Town Council of the Town of Hammonton request the ACDRPD review and endorse the revisions suggested which will promote the general good and health of the residents within the affected area.

Motion by Councilperson Furgione, seconded by Councilperson Rodio, the resolution is adopted and authorize \$450 to ARH.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpio - Yes

Esposito - Recused

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Hammonton Water System - AACO (ARH #11-30152)

Radium at Well #5/#7:

Building Construction:

Per the contract, substantial completion was expected on or before February 1, 2013. Construction has been substantially complete as of the contract milestones. During the week of February 18-22, 2013, the wet well will be filled and chlorinated, the treated water from the radium removal system tested and upon favorable results from the test, the sources will be returned to the system. The goal for this activity to be concluded is prior to March 1, 2013.

Plans and specifications will be submitted by the end of the month to NJDEP and NJEIT. The loan application submission to NJEIT is due by March 1, 2013, whereas plans and specification are due to the agency by April 1, 2013. The ACO requires the Town to submit a design plan to the NJDEP by October 1, 2013. As a reminder, a separate NJEIT application will include the installation of a SCADA system and a comprehensive meter replacement program employing the use of radio frequency type meters.

Licensed Operator:

Since the licensed operator requirement was fulfilled, it is reminded that the next ACO requirement on this topic is the submission of a licensed operator succession plan. **Submission is due by April 30, 2013.**

Well #1 / Well #3 – Volatile Organic Compounds (VOC's):

As previously reported, on or about December 18, 2012, Well #1 was returned to service with the treatment system in place. The treatment has been successful and Well #1 is now the primary source of supply.

Well #3 test results for EDB are teetering around the MCL level. It is suspected that if the well is operated more aggressively, it will surpass the levels. As reported, most likely Well #5/#7 will return to service by March 1, 2013 following the completion of the testing. Therefore, in the summer, the Town will be capable of using Well #5 or #7 and Well #1 since they are now remediated sources. However, to meet the expected summer demand, the Town will need to use either Wells #3 or #4. It is preferred to run Well #3 since the plan as outlined below eliminates any reliance on Well #4. Well #4, if activated, will deliver a supply that is above the MCL for radium. As mentioned, the design of the Well #4 radium system will be submitted shortly to NJDEP and NJEIT for approval, but in no way will be a remediated source for the summer of 2013.

Even though Well #3 is not yet in violation, it will more than likely exceed limits if continually operated. Therefore, the Town is not desirous of running the well to the system thus having to issue a Public Notice that again advises the residency of yet another hit on the Town's sources. Rather, the proposed plan is to pipe Well #3 to the Well #1 carbon filtration units now so that a finished water product would be in compliance. This plan will provide the Town time, that if the Well #3 raw water sampling results eventually are above the MCL, the delivery of its source through the filtration system to the distribution system will be in compliance.

At Well #1, the standards are currently being achieved with only one of the 2 vessels. The second vessel is essentially a safety net. It is believed that both wells can be passed through the filters that is now in place if need be. Under the proposed action plan, the Town will have the availability to use both Wells #1 and #3. While demand is not great, the use of the two wells can alternate. When demand increases, both wells can be used provided that the single vessel for each continues to achieve the successful treatment. If not, than the Town can work with NJDEP to obtain additional filtration to handle both wells, but the piping will already be in place.

In the interim, to implement this plan, permission has been pursued from NJDEP Division of Water Quality as part of our temporary plan for delivering safe and reliable drinking water from these sources.

With regard to the Well #3 yard piping, on February 8, 2013, quotes were received from 3 of the 4 vendors solicited. The results are as follows:

<u>Piping</u>	<u>Driveway</u>	<u>Restoration</u>	<u>Total</u>
Garrison Enterprises	\$15,525.00	\$2,000.00	\$17,525.00
TKT	\$19,330.00	\$750.00	\$20,080.00
B&H Contracting	\$18,420.00	\$2,580.00	\$21,000.00

It is our recommendation to award to the lowest quote, that being Garrison Enterprises. We recommend further to refrain from having the driveway restored at that cost. Rather, when another paving operation is ongoing, perhaps at Well #5, we can obtain an economy of scale for the minor repair warranted or Town staff can possibly accomplish this task. Therefore, the successful quote would be at a value of \$15,525.00.

In accordance with the proposed plan, SJG will excavate the trench immediately followed by the installation of the yard piping by Garrison Enterprises. Back-fill operations are to be performed by Garrison, however, fill material will be brought to the site by the Hammonton workforce. The schedule proposed is as follows:

February 25, 2013	Council meeting and quotation awarded
February 26, 2013	Contractor mobilizes, initiates yard piping
February 28, 2013	Project completed

We are in the process of coordinating with South Jersey Gas.

A report to the NJDEP Spill Compensation Fund Program under their Damage Claim provisions has been filed for reimbursement of eligible costs incurred to date. They have acknowledged receipt and the reimbursement in excess of \$130,000.00 is expected shortly.

AACO Compliance Dates:

- ~ Licensed Operator compliance – October 31, 2012 (COMPLETED)
- ~ Licensed Operator succession plan – April 30, 2013
- ~ Wells #5/#7 Radium Removal – project completion July 1, 2013
- ~ Well #4 Radium Removal – project completion February 28, 2015
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – Feb 28, 2015
- ~ Well #1 VOC Removal – (COMPLETED)

Action Requested:

1. Authorize Change Order #3 to TKT for the installation of a “soft” starter associated with the booster pump at Wells #5 and #7 in the amount of \$6,543.08 subject to the acceptance by NJEIT.

Motion by Councilperson Pullia, seconded by Councilperson Bachalis, Engineer Report action item #1 is approved.

ROLL CALL

Councilpersons:

- Bachalis - Yes
- Carpo - Yes
- Esposito - Yes
- Furgione - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

2. Award the RFQ to Garrison Enterprises for the Well #3 piping in the amount of \$15,525.00.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, Engineer Report action item #2 is approved.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. Authorize Change Order #4 to TKT for Dehumidifier Controls in the amount of \$5,536.31.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, Engineer Report action item #3 is approved.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS:

3. **Pine, Basin & Oak Road Water Main Extension/Well Contamination**

(ARH #11-30138):

Contract #1 – Water Main Installation, Street Side Services and Roadway Restoration (Lafayette Utilities)

As previously reported, in the spring, the contractor will repair the many driveway aprons that have failed.

Contract #2 – House Side Services to Affected Contaminated properties (Helmer Construction)

There are approximately 30 homes that must connect under the project. Helmer has fully connected over 25 of the 30 at this writing.

Contract #3 – Well Sealing (Steffen Well Drilling)

This project has not yet started awaiting the completion of Contract #2. Several residents have applied for a farm use waiver to allow them to retain their wells. The applications have been received by the NJDEP and they will be performing site visits to determine whether the individuals requesting do in fact qualify. The outcome of these site visits will affect Contract #3.

General Issues

Funding Status:

We continue to work on final quantities so the overall funding availability against eligible project cost can be finalized. That will allow for the Town to make decisions regarding the proposed optional change orders and seek full reimbursement to the limits allowed from the agencies supporting this project.

Connection by Non-CKE Residents:

Now that the project is completed, connection is available to all other residents within the project area. Any such connection is purely voluntary since the Town does not have a mandatory water connection ordinance. A letter dated February 5, 2013 was issued to these residents inviting their participation.

Summary of Last Month's Activity/Pending Items:

- Complete Contract #2.
- Initiate Contract #3.
- Resolve all of the connection issues remaining under Contract #2.
- Present a final quantities estimate for consideration of optional change orders.
- Obtain response from NJDEP on the mandatory connection requirements that are pending.

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

On August 8, 2012, an Adjuratory Hearing was requested on the elements of the permit for which the Town was requesting consideration. On October 19, 2013, the request for hearing was accepted but as of this writing no date has been established. The operator has checked his permit requirements whereby the work plan for zinc is due on or before March 1, 2013. Zinc is one of the items contested in the appeal. On behalf of the Town, ARH has emailed the NJDEP Surface Water representatives to determine whether the work plan is still required or does Hammonton get an extension at least until the hearing is conducted. We will report their response.

We were hopeful that by now the NJDEP would have taken Hammonton Creek off its list of waterways impaired for zinc, and that would solve the zinc limitation issue. They have not done that yet, and we do not know when (if) they will. Omni Environmental will perform the plan if the NJDEP does not grant an extension. We will obtain a price for Omni's involvement which will be similar to the work they performed on the Lead study and ultimately resulted in an elimination of the lead parameter.

5. 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.

PUBLIC WORKS ACTION ITEMS

6. 2012 Roadway/Drainage Projects (ARH #11-40045 & 46):

We are continuing work on the conceptual design plans for the project roadways. We have prepared the application to the NJEIT for funding consideration as authorized by Council totaling over 4.5 million dollars. We should hear something from NJEIT within the next month related to this funding request. We will also be reviewing the design plans with the PWTC. We are far enough along with the design for Packard, Second and Grape Streets to schedule a meeting to receive public input on the project and address any concerns that may be appropriate. We will be directed by Council's action.

Scheduled special meeting and public hearing under Councilman Rodio's report.

7. Drainage Projects: Anderson Avenue, Phase I (P2013.0066)

Anderson Avenue:

In discussion with the PWTC members, we will proceed with providing a project proposal to complete the fieldwork, design, permitting and easement requests along the properties where the presentation of the conceptual design was favorable, and where easements are possible. The Council should consider

placing funds in the 2013 budget to complete the intended work. We have attached a copy of the ARH proposal totaling \$11,300.00 for Council's consideration at Monday night's meeting.

Action Requested

Approval of the attached ARH proposal to allow for the Phase 1 portion of the drainage improvement project to proceed to design and construction for an estimated cost of \$11,300.00. The first phase will allow for an improvement of the stormwater storage and recharge but additional phases will be required in the future to provide for positive overflow relief during major storm events.

Motion by Councilperson Rodio, seconded by Councilperson Furgione, approve Engineer action item #7.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

8. Chew Road/Jacobs Street/First Road (P2013.0067):

Since we received a favorable response on the conceptual design from the affected property owners, we have now proceeded to prepare a proposal to Council for the remaining work in order to move forward with the project. The proposal includes any remaining fieldwork, design, permitting, easements, etc. The proposal is provided to Council for approval consideration and authorization. The Council should consider placing funds in the 2013 budget to complete the work required.

Action Requested

Approval of the attached ARH proposal to complete the required fieldwork and design for the drainage improvements to the area. The proposed improvements will be proposed to include work that would be performed by the Public Works Department. The total cost for the work described in the proposal is \$7,700.00.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, approve Engineer action item #8.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC WORKS INFORMATION ITEMS

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

The removal of the impacted soils situated exterior to the building was deemed complete on November 26th.

The impacted soils discovered under the building are being addressed administratively by implementing both institutional (i.e., deed notice) and engineering (i.e., cap) controls. ARH prepared the Deed Notice, which the Town Solicitor recorded at the County Clerk's office on January 17th. ARH is currently working with the Town Solicitor and Stockton to prepare/ file a remedial action permit application (soils) with NJDEP for the remaining soil impacts.

Regarding groundwater quality, ARH completed the required classification exception area (CEA) analysis and submitted same to NJDEP on November 15th to address this issue through the natural attenuation option. After the CEA is approved, a remedial action permit application (groundwater) will be prepared/ submitted to NJDEP for the remaining groundwater impacts.

As discussed previously with both the Town and Stockton, the remedial action permit(s) will require long-term monitoring and reporting. Additionally, ARH is in the process of preparing the final Remedial Action (RA) Report, understanding that the report cannot be submitted until the remedial action permit applications have been filed. The Solicitor is discussing this item with Stockton and will update our office and the Town as to how to proceed.

10. FY2013 Municipal Aid Applications (ARH #11-40041): - No Status Change

Pursuant to our authorization we have prepared and filed the following applications to NJDOT for FY2013:

Municipal Aid – Pratt Street from Egg Harbor Road to Fourth Street – Phase II
 (\$250,000.00 Requested)

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.
 (\$250,000 Requested)

Safe Streets to Transit – This would extend decorative sidewalk from Historic Train Station to Peach Street. Along with sidewalk along Front Street between Passmore Avenue and Line Street on the Fire Station side.
 (\$225,000 Requested)

This item is pending NJDOT review, last year's program allotments were announced in March. In conversation with the NJDOT representatives, it was noted that this year's allocations may not be sent out until May, 2013.

11. Hammonton Lake Aquatic Weed Control (P2011.0492): - No Status Change

As requested by the Lake Water Quality Committee, we have prepared a proposal to complete the various tasks needed to proceed with the fieldwork, permitting, bid process, etc. for the application of aquatic weed control to the Hammonton Lake. The application will be applied in late spring or early summer of 2013 as per the Lake Water Quality Management Report. If the Council desires to complete the application and weed treatment work, funds will need to be established within the 2013 budget. We would be available to discuss the project requirements with the Finance Committee of Council at the appropriate time of budget preparation.

12. Hammonton Lake Lowering (11-01000)

In cooperation with the Business Administrator, Councilman Bachalis, the MUD Superintendent and the State Division of Fish and Wildlife, we applied for and received an extension of time on filling the Lake until March 9, 2013. This will allow the Lake Cleaning Program scheduled to occur on Saturday, March 3rd to occur at the present lowered lake level.

13. **Boyer Avenue Recreation Complex (ARH #11-75003):**
The Contractor completed the rough grading of the site, installed the DGA in the parking and access drive locations. However, due to timing the Contractor has not been able to stabilize the site. It will be the Contractor's obligation to keep the site safe and stable. Any efforts that need to be reinforced or reinstalled will be on the Contractor. For example there is erosion in sections of the basin, the basin bottom will need to be reworked and the erosion areas repaired. Currently, the Contractor is waiting out the winter weather season prior to returning and completing the project.
14. **Skinner Building – Egg Harbor Road (ARH #11-01074):**
Enterprise Network Resolutions (ENR) completed the removal of the storage tanks from the property the week of November 26th, and the removal of the waste materials stored within the buildings on February 13th. ARH completed/ submitted the Preliminary Assessment (PA) Report and has conducted some additional sampling in connection with the ongoing Site Investigation (SI). We are working with the Town to coordinate the pending demolition activities and review the results of the most recent samples taken at the site and the impacts that they may have on the demolition effort and demolition proposals requested.
15. **Celona Property – Railroad Avenue/Pleasant Street (ARH #11-01054):**
No changes since the update provided April 3, 2012, with the following exception. On December 21, 2012, NJDEP issued a letter confirming that the Town's LSRP [Henry Weigel] had been released from the case, and that the responsible party (RP) was required to again retain an LSRP within 45 days. Acknowledging the State's 'affirmative obligation to remediate a discharge', the Solicitor has contacted the State to discuss who is the RP for the site and what obligations the Town might have related to same. The Solicitor should update the Council on this topic. The direction the Town will follow could also impact the earlier grant provided to the Town for site investigation.
16. **Drainage Projects: Lakeshore and White Horse Pike (ARH #11-60202.03):**
We have submitted an application to the NJDOT for Discretionary Aid funding consideration in the amount of \$247,250. Copies of the application were forwarded to area legislators. Council should contact the legislators to request their support for the project funding request. We recently provided a copy of the project funding application to the Business Administrator in response to an inquiry made by one of the area legislators. We have also contacted the NJDOT Trenton Review Officer regarding the status of his review. We will follow-up with the inquiry and provide an update to Council.
17. **Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153):**
As noted in prior reports, we were requested to resubmit our proposal dated 4/3/12 to complete the Environmental Investigative Work at the above noted site. This Preliminary Site Assessment will be required as part of the initial phase for any funding application the Town may consider to complete the parking lot improvements at this location. Our proposal dated 4/3/12 totalling \$16,700.00 relates to the work required to complete the Preliminary Site Assessment investigation and report. We are waiting for further direction by the Mayor and Council. If Mayor and Council are still interested in pursuing this project, consideration for inclusion of these funds within the 2013 budget would be appropriate. We will be guided by Council's action.
18. **Hammonton Tax Map Revisions, Property Revaluation (P2011.0485):**
The submission of the revised Tax Map was made to the State Division of Taxation in advance of the January 1st deadline. We have received some general review comments related to tax data and map designations. We have also had conversation with the individual reviewing the map. He noted there will be items that must be resolved on the mapping as presented to comply with the State standards. We will await for the State's entire review process to be completed before starting the formal revisions. Once we receive the State's formal written review comments we will address them, coordinate any items with the Town's Tax Assessor for issues requiring her attention and review same with the Solicitor and PWTC where required before continuing with any revisions and resubmission.

19. Solar Project at Former WWTP Site (ARH #11-01086):

The Contractor is on site completing initial demolition activities and has installed soil erosion and sediment control measures. It is anticipated the Contractor will be active and complete during the summer of this year.

SOLICITOR REPORT

Pleasant Mills Road Amendment & Resolution to NJ DOT Commissioner (under Dispense)

PULTE Litigation

Authorize Bond Reduction

Motion by Councilperson Rodio, seconded by Councilperson Bachalis, authorize reduction of landscaping performance bond to \$80,000.00 based on recommendation of Judge.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Professional Fee – R&V

Motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize purchase order not to exceed \$870.00 for Mr. Cantwell of R&V Town Engineer's to appear at Pulte hearing on behalf of the Town of Hammonton.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Skinner Bid

Skinner Demolition Bid Results Feb. 22, 2013

<u>Bidder</u>	<u>Total</u>
AP Construction	no bid received

B&G Restoration	no bid received
Bill Hargrove	no bid received
CDC News	no bid received
Construction Journal	no bid received
Controlled Environmental	no bid received
D & J Mazza Demolition	\$ 190,000.00
Earth Tech Construction	no bid received
Enterprise Network Resolutions	\$ 263,000.00
G.A. Barrett	\$ 215,691.78
G-Boys Excavating	no bid received
Geppert Bros.	\$ 294,500.00
Hargrove Construction	no bid received
Health and Safety Services	no bid received
Schiavone Const	\$ 307,900.00
J.R. Contracting	no bid received
JPC Group	\$ 319,600.00
Landberg Construction	no bid received
MidAtlantic	no bid received
Nasdi Demo	no bid received
Nat'l Waste & Recycling Serv.	\$ 167,187.50
Neri Construction	no bid received
Paul Calderone	no bid received
Perrone Construction	no bid received
Pierson Construction	\$ 277,230.00
Porretta Builders	\$ 253,333.00
RT Winzinger	\$ 253,000.00
Site Enterprise	\$ 139,500.00
SJC Contracting	no bid received
St. Andrews Construction	no bid received
Tiffany Penn	no bid received
USA Environmental Mgmt	no bid received
Yannuzzi Construction	no bid received

#R023D-2013 Award Bid Skinner Building Demolition

RESOLUTION # 023D- 2013
 RESOLUTION AWARDING BID FOR SKINNER BUILDING DEMOLITION

WHEREAS, the Town of Hammonton received bids on February 22, 2013 for demolition of the Skinner building located on North Egg Harbor Road; and

WHEREAS, the Mayor and Council have reviewed the recommendations made by the Business Administrator, qualified purchasing agent and Solicitor regarding said bids; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available in the Municipal budget of the Town of Hammonton.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the contract for the demolition of the Skinner Building is hereby awarded to the lowest responsive bidder, Site Enterprises, Inc., in the amount of \$139,500.00 conditioned on compliance with N.J.S.A. 34:11-56.25 and N.J.S.A. 19:44A-20.26 within ten (10) days of the adoption of this Resolution.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Clustering Meeting with Pinelands

Invitation to Middle Road Residents Impacted by Potential Re-Zone

AutoZone Performance Bond Release

Motion by Councilperson Bachalis, seconded by Councilperson Carpo, authorize AutoZone Performance Bond Release due to non continuance of project and subject to reposting bond prior to any permits being issued should the project continue in the future.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT

General Supervisor, Public Works

#R023B-2013 Create C.S. Position – Confidential Employee Highway Department

#R023B-2013

A RESOLUTION AMENDING RESOLUTION #018C-2013
CREATING THE LOCAL CIVIL SERVICE POSITION
OF DEPUTY MUNICIPAL DEPARTMENT HEAD FOR PUBLIC WORKS

WHEREAS, it has been recommended by Jerry Barberio, PWM/BA that there exists a need for a confidential employee position at the Highway Department; and

WHEREAS, the Unclassified position of Deputy Department Head - Public Works created by #R018C-2013 was not approved by NJ CSC; and

WHEREAS, the position of General Supervisor, Public Works is an approved Classified NJ CSC Local Position; and

WHEREAS, the General Supervisor, Public Works title provides a detailed job description; and

WHEREAS, the General Supervisor, Public Works title allows for additional job duties to be given to the person serving in that title.

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

1. The position of Deputy Department Head – Public Works created by #R018C-2013 is repealed;
2. The position of General Supervisor, Public Works is hereby created effective the date of this resolution;
3. The position of General Supervisor, Public Works is designated as a confidential position;
4. The additional duties of the General Supervisor, Public Works are adopted effective the date of this resolution and attached hereto;
5. The salary of the General Supervisor, Public Works, position will be set by salary ordinance per law;

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Skinner Bids

Shared Service Agreement Folsom

Motion by Councilperson Furgione, seconded by Councilperson Carpo, authorize the Business Administrator to enter into negotiations with Folsom Borough for consideration of an extensive Shared Services Agreement.

ROLL CALL

Councilpersons:

Bachalis - Yes

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

Mayor DiDonato declared the motion carried.

Town Road Striping Investigation – 13th Street

Boyer Avenue Fields Timeline

Bulky Pickup – March 4 – 8

Brush Pickup – March 11 – 15

CPWM School (Tuesdays) March 5 – May 7

Motion by Councilperson Rodio, seconded by Councilperson Esposito, authorize the PWM to attend CPWM School each Tuesday from March 5 through May 7 at a cost of \$1935.00.

ROLL CALL

Councilpersons:

- Bachalis - Yes
- Carpo - Yes
- Esposito - Yes
- Furgione - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Airport – Potential Partnership with ACCC for Control Tower Operator School

TOWN CLERK REPORT

1. Approve the following transactions of Fire Co. #2:
Nathan Cram – no longer members
David LaSassa & Anthony Gramiccioni – approve as new members
2. Approve Metlife Dental Plan Effective 3/1/13 thru 3/1/14, \$2738 savings, no change in benefits

<u>Former Plan Rates</u>	<u>Metlife Rates</u>
DMO S \$24.44	DMO S \$18.18
DMO Emp+1 \$40.80	DMO Emp+1 \$36.33
DMO Family \$79.27	DMO Family \$51.78
PPO S \$24.44	PPO S \$20.02
PPO Emp+1 \$40.80	PPO Emp+1 \$41.50
PPO Family \$79.27	PPO Family \$76.39
3. Authorize Waiver of Special Vendor Permits and Fees per Ordinance 12-2009 for year 2013 (this is a trial to ascertain the necessity of the permits and fees)
4. Hire Vincent Passalaqua School Crossing Guard at \$10,560 annual salary and no benefits

Motion by Councilperson Rodio, seconded by Councilperson Esposito, Town Clerk Report items 1 through 4 are adopted.

ROLL CALL

Councilpersons:

- Bachalis - Yes
- Carpo - Yes
- Esposito - Yes
- Furgione - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Councilperson Carpo, seconded by Councilperson Bachalis, approve February 2013 bill list and purchase order(s).

ROLL CALL

Councilpersons:

- Bachalis - Yes
- Carpo - Yes
- Esposito - Yes
- Furgione - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato – Yes (recused on Calderone only)

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #003-2013 Introduce Salary Assistant Water Treatment Plant Operator

Ordinance # 003-2013

AN ORDINANCE FIXING THE SALARY OF
EMPLOYEE(S) OF THE TOWN OF HAMMONTON

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

SECTION 1. There is hereby adopted the following salary for employee(s) of the Town of Hammonton.

TITLE	MINIMUM	MAXIMUM
Assistant Water Treatment Plant Operator	\$67,000.00	\$70,000.00

SECTION 2. The specific salary or wage for any municipal official or employee shall be determined and set forth in salary contracts or collective bargaining agreements provided they are within the minimum and maximum amounts as set forth hereinabove. No salary or wage for any municipal

official or employee shall be affective or intended unless by official action of the Governing Body and incorporated in a Resolution fixing the specific wage or salary.

SECTION 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to October 23, 2012.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #004-2013 Introduce Amendment to Chapter 14-23 (B) 1-8 Discovery Fees

Ordinance #004-2013

AN ORDINANCE AMENDING ARTICLE V., CHAPTER 14-23 (B) 1-8
of the Code of the Town of Hammonton

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Article V., Chapter 14-23 (B) 1-8 is amended as follows:

All fees for discovery for Hammonton Municipal Court shall be in accordance with OPRA and/or N.J. Court Rules.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

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

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R024-2013 Authorize Cruisin Main Street Event and Road Closure

RESOLUTION #024-2013
RESOLUTION AUTHORIZING AND ENDORSING
CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT

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

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

WHEREAS, Numerous Town residents have requested two Cruisin' MainStreet events each year; and

WHEREAS, Friday, May 17, 2013 (rain date May 18) is the scheduled date for the MainStreet Hammonton Annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Friday, September 6, 2013 (rain date September 7) is the scheduled date for the MainStreet Hammonton Semi-annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 4:30 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;
N. Egg Harbor Road between Rt. 54 and Pleasant Street;
Orchard Street Railroad Crossing;
Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;
East side of Rt. 54 between Third Street and Egg Harbor Road;
Both sides of Railroad Avenue between 12th Street and Orchard St;
Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the May 17, 2013 (rain date May 18) and the September 6, 2013 (rain date September 7) "Cruisin' Main Street" events, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#R025-2013 Authorize Interlocal Service Agreement with NJ DOT

RESOLUTION #025-2013

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT
BETWEEN THE TOWN OF HAMMONTON AND
THE NJ DOT

WHEREAS, the Town of Hammonton is statutorily authorized to enter into Interlocal Services Agreements with State, County and Local Governments; and

WHEREAS, a traffic condition exists along Route US 30 and Central Avenue (CR 542) – Sea Grove Avenue in the Town of Hammonton in the County of Atlantic, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons, and areas of presence detection in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, the State of New Jersey has proposed a form of Agreement pertaining to maintenance of said traffic signal;

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 Clerk are authorized to enter into Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of agreement is attached hereto and made part hereof;

#R026-2013 Approve Temporary Emergency Appropriations

#R026-2013

RESOLUTION MAKING TEMPORARY EMERGENCY APPROPRIATIONS
IN THE TOWN OF HAMMONTON MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides that temporary emergency appropriations may be made for the period between the beginning of the fiscal year and the date of adoption of the budget for said year; and

WHEREAS, the date of this resolution is not within the first thirty days of January, and

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

Hammonton, New Jersey, that the following temporary emergency appropriations are hereby made:

<u>Fund</u>	<u>Account Number</u>					<u>Appropriation</u>
Admin S&W	3	01	20	101	100	\$25,000.00
Admin OE	3	01	20	101	200	\$6,000.00
Finance S&W	3	01	20	103	100	\$20,000.00
Finance OE	3	01	20	103	200	\$5,000.00
Assessment S&W	3	01	20	104	100	\$20,000.00
Assessment OE	3	01	20	104	200	\$1,000.00
Taxes S&W	3	01	20	105	100	\$20,000.00
Taxes OE	3	01	20	105	200	\$1,000.00
Legal OE	3	01	20	106	200	\$20,000.00
Engineering OE	3	01	20	107	200	\$4,000.00
Historical Soc. S&W	3	01	20	11A	100	\$200.00
Computer S&W	3	01	20	133	100	\$13,000.00
Computer OE	3	01	20	133	200	\$7,000.00
Planning Brd S&W	3	01	21	109	100	\$10,000.00
Board of Adj. OE	3	01	21	110	200	\$500.00
Construction S&W	3	01	22	126	100	\$25,000.00
Construction OE	3	01	22	126	200	\$500.00
Other Code S&W	3	01	22	127	100	\$1,000.00
Other Code OE	3	01	22	127	200	\$100.00
Group Ins OE	3	01	23	114	200	\$500,000.00
Insurance OE	3	01	23	115	200	\$13,500.00
Workman's Comp	3	01	23	116	200	\$250,000.00

State Fire S&W	3	01	25	118	100	\$6,000.00
Police S&W	3	01	25	119	100	\$600,000.00
Police OE	3	01	25	119	200	\$15,000.00
Police Radio S&W	3	01	25	120	100	\$60,000.00
Prosecutor OE	3	01	25	123	200	\$6,000.00
Public Bldg/Grds OE	3	01	26	108	200	\$8,000.00
Highway S&W	3	01	26	123	100	\$100,000.00
Highway OE	3	01	26	123	200	\$200,000.00
Dog Regulations OE	3	01	27	125	200	\$2,000.00
Parks Comm. S&W	3	01	28	130	100	\$300.00
Recreation S&W	3	01	28	131	100	\$7,000.00
Recreation OE	3	01	28	131	200	\$4,000.00
Advertising OE	3	01	30	136	200	\$10,000.00
Airport OE	3	01	30	137	200	\$1,000.00
Gasoline OE	3	01	31	11E	200	\$20,000.00
Natural Gas OE	3	01	31	11F	200	\$10,000.00
Electric OE	3	01	31	11G	200	\$20,000.00
Street Lighting OE	3	01	31	138	200	\$30,000.00
Telephone OE	3	01	31	139	200	\$11,000.00
Public PERS OE	3	01	36	144	200	\$210,562.23
Social Security OE	3	01	36	145	200	\$35,000.00
Public PFRS OE	3	01	36	147	200	\$451,054.41

DCRP OE	3	01	36	149	200	\$500.00
Court S&W	3	01	43	201	100	\$40,000.00
Municipal Court OE	3	01	43	201	200	\$1,500.00
Capital Outlay Utility	3	05	55	603	200	\$100,000.00

#R027-2013 Support Responsible Pet Ownership Community for Sustainable Energy Points

Resolution #027-2013
 Pledge of Municipal Support for
 Responsible Pet Ownership in the Community

RECOGNIZING that cats and dogs are an integral and valuable part of all communities, and contribute to the well-being of humans, whether as companions, service animals, or therapy pets,

ACKNOWLEDGING that the fostering of respect for and understanding of the relationships between animals and people, and the benefits provided by these interactions, is a critical step towards sustaining a community's quality of life,

UNDERSTANDING that municipalities have an important role in ensuring the well-being of animals while balancing the needs of pet owners and non-pet owners,

WHEREAS it is in the best interests of all Town residents that all dogs residing in the town be licensed and treated in accordance with Town ordinance,

WHEREAS there are innumerable cats in Hammonton, many of them stray and feral animals bearing the potential for the spread of disease and the destruction of native birds and mammals,

WHEREAS the Town impounds nearly 400 animals per year in animal shelters and impoundment facilities,

WHEREAS the Town desires to reduce unnecessary animal euthanasia, in light of the fact that 37% of the animals that enter New Jersey's impoundment facilities are euthanized,

WHEREAS free-roaming unvaccinated cats and dogs present a potential health threat to humans through the spread of such diseases as rabies, leptospirosis, toxoplasmosis, roundworms, and from animal bites and environmental contamination from animal feces,

WHEREAS stray and unwanted pets place an unnecessary financial burden on the town,

WHEREAS it is more humane and cost-effective to reduce the number of unwanted animals than it is to impound and euthanize unwanted or unclaimed dogs and cats,

WHEREAS Hammonton requires the licensing of all dogs in the municipality pursuant to Town Ordinance (Chapter 82, Article 1), and requires current vaccination against rabies as a pre-requisite to licensing,

WHEREAS Hammonton requires an annual canvass of residents to locate unlicensed dogs per Town ordinance (Ch. 82-15),

NOW THEREFORE, we the Mayor and Council of the Town of Hammonton, in the County of Atlantic, State of New Jersey, resolve to do our utmost, within the bounds of our jurisdiction, to ensure that companion animals are treated humanely, respectfully, and responsibly through public education and through exercise of powers vested within New Jersey municipalities as follows:

Actions to date:

- A. The Town has appointed Animal Capture & Control, of 290 Frog Pond Road, Little Egg Harbor, NJ as its official certified animal control agency, responsible for animal control within the jurisdiction of the municipality, including providing emergency veterinary care for injured stray animals and coverage outside of normal working hours.
- B. Hammonton ordinance Chapter 82, Article II addresses the municipal standards for vicious dogs, regardless of breed.
- C. The NJ Animal Population Control Program provides for low-cost spaying and neutering for pet owners adopting dogs and cats from New Jersey shelters, pounds, and animal adoption referral agencies and pet owners participating in one of several Public Assistance Programs.

Further, the Town pledges to:

- 1. Enforce all animal and rabies control statutes and regulations, including the requirement to pick up and impound all stray dogs and cats, excepting stray and feral cats in managed Trap-Neuter-Release programs.
- 2. Work to improve the enforcement of animal cruelty statutes.
- 3. Educate our community, including school children, about their responsibilities towards the pet animals they chose to keep.
- 4. Institute, as appropriate, cat licensing ordinances and increase the percentage of licensed dogs and cats through ease of licensing and licensing enforcement measures.
- 5. Identify and work to implement best practices to prevent unwanted breeding through effective animal control, availability of low-cost pet spaying and neutering services, public education, and pet-friendly rental and senior housing.
- 6. Identify alternatives to euthanasia of adoptable companion animals, including utilizing foster homes, adoption networks and providing remedial behavior training services to existing and future owners.
- 7. Assist in identifying resources to improve the conditions and increase the capacity of animal shelters and impoundment facilities and animal control services.

#R028-2013 Authorize Bond Counsel to make application to NJ EIT

#R028-2013

RESOLUTION OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, DETERMINING THE FORM AND OTHER DETAILS OF ITS "NOTE RELATING TO THE INTERIM FINANCING TRUST LOAN PROGRAM OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST", TO BE ISSUED IN THE PRINCIPAL AMOUNT OF UP TO \$2,100,000, AND PROVIDING FOR THE ISSUANCE AND SALE OF SUCH NOTE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH NOTE BY THE TOWN IN FAVOR OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST INTERIM FINANCING SFY 2013 TRUST LOAN PROGRAM.

WHEREAS, the Town of Hammonton (the "Local Unit"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Local Unit for the design, permitting, construction, construction management and the administration of the radium treatment equipment, installation and ancillary building at the Well 5/7 facility located on 14th Street, including acquisition and installation of all equipment and materials and all work necessary therefore or incidental thereto (the "Project"), and it is the desire of the Local Unit to obtain financing for such Project through participation in the State Fiscal Year 2013 financing program (the "SFY 2013 Environmental Infrastructure Financing Program") of the New Jersey Environmental Infrastructure Trust (the "Trust");

WHEREAS, the Local Unit has determined to temporarily finance a portion of the Project prior to the closing with respect to the SFY 2013 Environmental Infrastructure Financing Program (scheduled to occur on May 2, 2013), and to undertake such temporary financing with the proceeds of an interim loan to be made by the Trust (the "Interim Loan") to the Local Unit, pursuant to the Interim Financing SFY 2013 Trust Loan Program of the Trust (the "Interim Financing Program");

WHEREAS, in order to (i) evidence and secure the repayment obligation of the Local Unit to the Trust with respect to the Interim Loan and (ii) satisfy the requirements of the Interim Financing Program, it is the desire of the Local Unit to issue and sell to the Trust the "Note Relating to the Interim Financing SFY 2013 Trust Loan Program of the New Jersey Environmental Infrastructure Trust" in an aggregate principal amount consistent with Bond Counsel application(the "Note");

WHEREAS, it is the desire of the Local Unit to authorize, execute, attest and deliver the Note to the Trust pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), and other applicable law; and

WHEREAS, Section 28 of the Local Bond Law allows for the sale of the Note to the Trust, without any public offering, and N.J.S.A. 58:11B-9 allows for the sale of the Note to the Trust without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Local Unit as follows:

Section 1. In accordance with Section 28 of the Local Bond Law and N.J.S.A. 58:11B-9, the Local Unit hereby authorizes the issuance, sale and award the Note in accordance with the provisions hereof. The obligation represented by the Note has been appropriated and authorized by the Local Unit, which bond ordinance is entitled "BOND ORDINANCE PROVIDING FOR WELL 5/7 FACILITY PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$2,100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,100,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF" and was finally adopted by the Local Unit at a meeting duly called and held on [Date], at which time a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Local Unit (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions hereof, (i) the final principal amount of the Note (subject to the maximum limitation set forth in Section 4(a) hereof), and (ii) the dated date of the Note.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Note by the parties authorized pursuant to Section 4(h) hereof.

Section 4. The Local Unit hereby determines that certain terms of the Note shall be as follows:

- (a) the principal amount of the Note to be issued consistent with Bond Counsel application;
- (b) the maturity of the Note shall be May 2, 2013, or at such time as the note is permanently financed through the SFY 2013 Environmental Infrastructure Financing Program;
- (c) the interest rate of the Note shall be 0.0% per annum;
- (d) the purchase price for the Note shall be par;
- (e) the Note shall be subject to prepayment prior to its stated maturity in accordance with the terms and conditions of the Note;
- (f) the Note shall be issued in a single denomination and shall be numbered "IFP-13-1";
- (g) the Note shall be issued in fully registered form and shall be payable to the registered owner thereof as to both principal and interest in lawful money of the United States of America; and
- (h) the Note shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Local Unit Clerk.

Section 5. The Note shall be substantially in the form attached hereto as Exhibit A.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Note, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust for the Interim Financing Program, to arrange for same.

Section 7. The Authorized Officers of the Local Unit are hereby further severally authorized to (i) execute and deliver, and the Local Unit Clerk is hereby further authorized to attest to such execution and to affix

the corporate seal of the Local Unit to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Secretary of the Local Unit, as applicable, in their respective sole discretion, after consultation with counsel and any advisors to the Local Unit and after further consultation with the Trust and its representatives, agents, counsel and advisors, to be executed in connection the issuance and sale of the Note and the participation of the Local Unit in the Interim Financing Program, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery of the Note and the participation of the Local Unit in the Interim Financing Program.

Section 8. This resolution shall take effect immediately.

Section 9. Upon the adoption hereof, the Local Unit Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Local Unit, David Zimmer, Executive Director of the Trust, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R029-2013 Approve Hammonton Volunteer Fire Companies #1 and #2 Handbook

RESOLUTION #029 -2013

A RESOLUTION APPROVING THE OFFICIAL HANDBOOK
OF VOLUNTEER FIRE COMPANIES #1 AND #2

WHEREAS, the Hammonton Volunteer Fire Companies #1 and #2 desire to establish a policy to be followed by all Volunteers to insure an efficient, fair, safe, and enjoyable environment; and

WHEREAS, written rules are important to create that environment.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the Hammonton Volunteer Fire Companies #1 and #2 Handbook which is attached hereto is adopted as the official policies, procedures, rules and regulations which all volunteers must adhere to; and

BE IT FURTHER RESOLVED that the Handbook is not intended to be construed actually or by implication as a contract and does not supersede County, State or Federal regulations pertaining to Volunteer Fire Companies and Volunteer Firefighters.

#R030-2013 Approve Sustainable Building Practices

#R030-2013

RESOLUTION ENDORSING THE ADOPTION OF SUSTAINABLE BUILDING PRACTICES FOR CIVIC,
COMMERCIAL AND RESIDENTIAL BUILDINGS

WHEREAS, buildings account for 39% of CO2 emissions in the United States,

WHEREAS, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S.,

WHEREAS, sustainable (or "high-performance" or "green") building is a collection of better design, construction, and operating practices that have demonstrated the ability to reduce or eliminate the negative impacts of development on the environment and on human health,

WHEREAS, the Town of Hammonton desires to enhance public health and assure that commercial, residential and civic development is consistent with our desire to create a more sustainable community,

WHEREAS, the Town intends to support sustainable building through a variety of actions, including public education, a green building advisory list, and reviewing (at a future date to be determined) the Site Plan approval checklist to ensure it incorporates sustainable building standards appropriate to the town,

NOW, THEREFORE, BE IT RESOLVED that the Town of Hammonton hereby implements a Sustainable Building Policy such that the Town will consider appropriate and reasonable opportunities to incorporate sustainable building measures into the design, construction, operation, and maintenance of municipal buildings and facilities, and will encourage green design for commercial and residential buildings within the Town.

#R031-2013 Approve Sustainable Land Use

#R031-2013
SUSTAINABLE LAND USE RESOLUTION

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, poor land-use decisions can lead to and increase societal ills such as decreased mobility, high housing costs, increased greenhouse gas emissions, loss of open space, and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, provide for adequate recreation, and allow for the continued protection and use of vital natural resources; and

WHEREAS, given New Jersey's strong tradition of home rule and local authority over planning and zoning, achieving a statewide sustainable land use pattern will require municipalities to take the lead;

NOW THEREFORE, the Town of Hammonton will take the following steps with regard to our municipal land-use decisions with the intent of making Hammonton a truly sustainable community. We shall include these principles in the next master plan revision and reexamination report and update our land-use zoning, natural resource protection, and other ordinances accordingly.

Regional Cooperation - We pledge to reach out as appropriate to administrations of our neighboring municipalities concerning land-use decisions that have regional impacts.

Transportation Choices - We pledge to create transportation choices with a Complete Streets approach by considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will reevaluate our parking with the goal of creating flexible parking requirements in order to decrease the amount of land dedicated to parking lots, storm water runoff, land clearing, and heat island effects, while promoting transportation alternatives to individual automobile use.

Natural Resource Protection - We pledge to take action to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. Further, we pledge to update our Natural Resources Inventory as appropriate to ensure it continues to include the most accurate information regarding our natural resources and to link natural resource management and protection to carrying capacity analysis, land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that make the most sense for our municipality and the region, particularly in downtown areas.

Housing Options - We pledge to foster a diverse mix of housing types and locations, including single- and multi-family, for-sale and rental options, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible and when updating our site plan and subdivision requirements for residential and commercial buildings.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as walkability, bikability, greater access to public transit, proximity to other land-use types, and open space when locating new or relocated municipal facilities.

#R032-2013 Authorize Transfer of Funds

#R 32-2013

RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS
IN TOWN OF HAMMONTON MUNICIPAL BUDGET

BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the budget appropriations reserves **with an effective date of February 25,2013:**

FROM: IN CAP

Gasoline OE	2	01	31	11E	200	\$3,000.00
Legal OE	2	01	20	106	200	\$2,000.00

TO: IN CAP

Fire OE	2	01	25	117	200	\$5,000.00
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#R033-2013 Determine Form of Water Utility Bonds

#R033-2013

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$2,100,000 WATER UTILITY BONDS, SERIES 2013, OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"), has determined that there exists a need within the Town to provide for the Well 5/7 Facility Project in the Town (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the 2013 New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's Water Utility Bonds, Series 2013, in an aggregate principal amount not to exceed \$2,100,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the

terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Town Bonds to the Program, the governing body of the Town wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Town (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Town Clerk, Counsel to the Town, Project Engineer or Appraiser and/or Bond Counsel to the Town (collectively, the "Town Representatives") on or before the date when the Town is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Town authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Town as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Town hereby sells and awards its Town Bonds in an aggregate principal amount not to exceed \$2,100,000 consistent with the provisions hereof and a bond ordinance of the Town, entitled, "Bond Ordinance Providing for Well 5/7 Facility Project in and by the Town of Hammonton, in the County of Atlantic, New Jersey, Appropriating \$2,100,000 Therefor and Authorizing the Issuance of \$2,100,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof " which was finally adopted by the Town at a meeting duly called and held on March 26, 2012, at which time quorums were present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law.

Section 2. The Chief Financial Officer of the Town (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$2,100,000;
- (b) The maturity and annual principal installments of the Town Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Town Bonds;
- (d) The interest rates of the Town Bonds;
- (e) The purchase price for the Town Bonds; and
- (f) The terms and conditions under which the Town Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Town Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Town hereby determines that certain terms of the Town Bonds shall be as follows:

(a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered WU-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered WU-2;

(b) The Town Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and

(c) The Town Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Town Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Town Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Town auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Town Bonds. The Mayor, the Chief Financial Officer and the Town Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Town is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Town.

Section 7. The Town hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Town Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Town Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R034-2013 Authorize Execution and Delivery of Loan Agreements

#R034-2013

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"), has determined that there exists a need within the Town to provide for the Well 5/7 Facility Project in the Town (the

"Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's Water Utility Bonds, Series 2013, in an aggregate principal amount not to exceed \$2,100,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Town Bonds and the execution and delivery of one or more of the Loan Agreements and the Continuing Disclosure Agreement, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Town and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Town by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Town (collectively, the "Town Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Town Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Town Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Town as determined hereunder and to affix the corporate seal of the Town to such Financing Documents.

Section 2. The Authorized Officers of the Town are hereby further severally authorized to (i) execute and deliver, and the Town Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Town to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Town Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

Motion by Councilperson Esposito, seconded by Councilperson Bachalis, resolutions 24-34 are adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Phil Biazzo

Mr. Biazzo posed questions concerning the Town's water system and rates to which Mayor and Council responded..

Mark Santora

Mr. Santora posed questions concerning Pulte Development to which Mayor and Council responded.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk