

Regular Meeting of Mayor and Council
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
July 26, 2010 at 6:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:
Barberio - Present
Bertino - Present
Gribbin - Absent
Lewis - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

#R 066C- 2010 Enter Executive Session

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. Review Closed Session Minutes
2. Cavuto vs. Hammonton Zoning Board of Adjustment
3. COAH Update
4. Berenato & Cioffi Property
5. 13th Street Property Dispute

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 Bertino, enter into executive session.

ROLL CALL

Councilpersons:
Barberio - Yes
Bertino - Yes
Gribbin - Absent
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESUME OPEN SESSION-ROLL CALL

Councilpersons:
Barberio - Present
Bertino - Present
Gribbin - Present
Lewis - Present
Pullia - Present

Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese of ARH, Town Engineer

PLEDGE OF ALLEGIANCE

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.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session May 24, 2010
Executive Session June 7, 2010
Special Meeting July 19, 2010

Motion by Councilperson Bertino, seconded by Councilperson Barberio, the minutes be approved.

ROLL CALL

Councilpersons:
Barberio - Yes
Bertino - Yes
Gribbin - Yes
Lewis – Yes (Abstain on Special Meeting 7/19/10 only)
Pullia – Yes (Abstain on Special Meeting 7/19/10 only)
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Presentation Artist of the Year

Councilman Gribbin presented Jack Mazzeo with an "Artist of the Year" proclamation on behalf of Mayor and Council.

Mr. Mazzeo thanked Mayor and Council for the recognition and was excused.

2. Presentation One Year Anniversary Eagle Theatre

Councilman Gribbin presented Eagle Theatre with a proclamation, on behalf of Mayor and Council, honoring their one year anniversary.

3. Eagles Scout Presentation

Councilperson Barberio introduced Mr. Mario DePallo who gave a presentation on his Eagles Scout Project which included raising donations and refurbishing the Hammonton Lake Park Pavillion with the help of volunteers.

Mayor DiDonato thanked Mr. DePallo for his volunteering this project for the Town of Hammonton.

4. Hearing and Adoption Bond Ordinance #015-2010

*placed in full in minutes of June 28, 2010

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

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Barberio

Reported on Administrative Committee Meeting concerning future office staffing

Business & Industry-Councilperson Gribbin

Reported new businesses: Gabrielle & Co., Bellevue Bagel Café & Soup Wich

Reported on \$200,000 grant for Police equipment, thanked Senators Lautenberg & Menendez

Education-Councilperson Bertino

Update on Warren E. Sooy Elementary Building renovations

Public Works & Transportation-Councilperson Rodio

Report on lake lowering and clean up

Report on South Hangar Project

Report bids due for resurfacing airport runway due 7/28/10 at 11:00 a.m.

Thanked by name and title each employee of the Highway Department personally for their hard work

Reported Bulky pickup Aug 2-6 and Brush pickup Aug 9-13

Law & Order-Mayor DiDonato

Thanked Police Chief and entire police department for their traffic control during summer festivals

Quality of Life – Councilperson Lewis

Report on lake monitoring for swimming

Councilman Barberio took this opportunity to introduce Monica Newton newly hired Rec Supervisor

Mrs. Newton thanked everyone for the opportunity to work for the Town of Hammonton. She advised she has a degree in communication, she has much experience in recreation and she was originally from Hammonton.

Water & Sewer – Councilperson Pullia

Report on Bellevue Avenue Project

Report on 4th Street Project

Report on FRP for cell phone antenna at Lincoln Street Water Tower

Report on South Jersey Gas soil remediation

Report on Water Allocation & Optimization at Pinelands

Reminded everyone to respond to ARH letters concerning wells in the 1st Road/Middle Road Area

Report on water usage – thanked everyone for water conservation

Thanked Mt. Carmel Society for 16th of July Procession

ENGINEER REPORT
SEWER & WATER ACTION ITEMS

1. **Capital Bank Remodel Utility Service Upgrade and Fire Service (11-30145.01):**

We had a request from Capital Bank related to the supply of a new water and sanitary sewer service connection along with a fire service line that would accommodate their new facility on Bellevue Avenue. The supply of the new lines would require the extension of the water and sanitary sewer trunk lines, additional roadway restoration, curb and sidewalk placement etc. related to the current utility replacement project under construction. We have requested a cost estimate from the Contractor presently performing the work on Bellevue Avenue to complete this additional work through a Change Order of their present contract. We would hope to have that cost for Monday night's Council meeting. After discussion with the PWTC, we prepared a tentative cost estimate to complete this work and forwarded it to the representatives of Capital Bank for their review and acceptance. If approved by Capital Bank and Council, an agreement to allow for the reimbursement of the funds expended by the Town to complete the work will be drafted by the Solicitor. We estimate the cost to complete the improvements as \$30,000.00 +/- . The exact cost will be determined once we receive the price from the contractor.

Motion by Councilperson Bertino, seconded by Councilperson Gribbin, authorize Solicitor to draft an agreement between Capital Bank and the Town to provide for the reimbursement of funds expended to complete the required work for utility and fire service connections to their new facility. (100% of cost to be reimbursed).

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Recused

Mayor DiDonato - Recused

Deputy Mayor Rodio – Yes

Deputy Mayor Rodio declared the motion carried.

2. **First Road Resurfacing, County Route # 688 – Town Utility Installations (ARH #11-30146):**

We have discussed the project concept with the PWTC related to the water main extension and replacement. We will be reviewing the possible phasing options and costs with the PWTC. As discussed with the PWTC, we sent out a general questionnaire to the residents along First Road to obtain their input and interest related to being connected to public water which we will also review with the PWTC. In discussion with the Chairman of the Sewer and Water Department, we were requested to prepare a proposal to complete necessary field work, design and permitting for the project. The section of roadway to be considered for water main replacement and new installation will extend between 11th Street and 9th Street a distance of approximately 5,400 feet. This section would allow for the replacement of some old undersized pipes and the installation of new main where none presently exists. The goal would be to install the new and replacement water main in the roadway shoulder where possible and complete same before the County resurfaces First Road. Their roadway resurfacing project is still on schedule for the fall, therefore the design permitting and installation must be completed as soon as possible. Also, the funding for same must be established by the Town through reappropriation or introduction of new bonds. We have enclosed a copy of the ARH proposal for Council's consideration.

Motion by Councilperson Pullia, seconded by Councilperson Bertino, approve ARH proposal for \$15,700.00 to allow for necessary work to proceed on the Phase 1 portion of the First Road water main replacement and extension project extending between 11th Street and 9th Street from Water OE.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis – Recused
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

3. **2011 – Municipal Aid Program (ARH# 10-0350)**

We received notice from the NJDOT that they are now accepting applications for the following programs for funding consideration:

- Municipal Aid – Funding for local road reconstruction projects; The following projects will be evaluated with the PWTC prior to this Council meeting:
 - Packard Street – Rt. 54 to Grape Street
 - Pratt Street – Egg Harbor Road to 3rd
 - Pratt Street – 3rd to Tilton
 - Second Street – Vine to Cherry
- Bikeway – Bike path and related facility construction:
 - We will review the Town’s options with the PWTC and have a recommendation for the Council meeting.
- Centers of Place – Non-traditional transportation improvements, sidewalks, streetscapes, landscaping, etc.
 - It is our suggestion to apply for funding to construct the Egg Harbor Road municipal parking lot next to the Historic Train Station.
- Safe Streets to Transit – Construct safe and accessible pedestrian links to transit facilities.
 - It is our suggestion to apply for funding to extend sidewalk along Egg Harbor Road from the municipal parking lot described above and continue to link the walkway that was built on Front Street which eventually leads to the NJ Transit Station.

Motion to Add Grape Street

After a discussion of Mayor and Council it was on motion by Councilperson Bertino, seconded by Councilperson Rodio, to include Grape Street in the application.

ROLL CALL

Councilpersons:
Barberio – Yes
Bertino – Yes
Gribbin – Yes
Lewis – Yes
Pullia – Yes
Rodio – Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Authorize ARH To Prepare Grant Applications

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize ARH to prepare all grant applications at a total cost of \$2,400.00 and authorize Mayor DiDonato to sign any necessary documents pertaining to the grant applications with approval of Water & Sewer Committee members. Refer resolutions to New Business for consideration.

ROLL CALL

Councilpersons:
Barberio - Yes
Bertino - Yes
Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

4. **Hammonton Lake Lowering Permit (10-0314)**

At the request of the Hammonton Lake Water Quality Committee, we have provided a proposal, a copy of which is attached to this report, to complete the following work:

- Complete the required application, report, etc. in order to obtain a Lake Lowering Permit from the NJDEP in conjunction with the Lake Water Quality Management Report;
- Survey and establish an elevation on the concrete dam structure which services the Hammonton Lake.

Motion by Councilperson Rodio, seconded by Councilperson Barberio, approve ARH Proposal totaling \$2,150.00 and issuance of the appropriate purchase order for same.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

5. **Route 54/Bellevue Avenue Utilities (ARH #11-50120):**

Previously it was reported that the Town had come to an agreement with Paramount to continue working on this project. Additionally there were conditions in the latest MOU that the Contractor needed to address. The following is an update to each issue:

***Mt. Carmel Yard:** The sub-contractor successfully moved all material and equipment off of the Mt. Carmel Yard in time for the carnival. In doing so, the sub-contractor moved a lot of material and equipment to a vacant property on Rt. 54. We have discussed with the sub-contractor their intent after the carnival has moved out of Town. Our understanding is that all materials that are currently located on the Rt. 54 property will remain there until they are used. Additionally, the track equipment will stay at this location. The sub-contractor has had discussions with both our office and the neighboring properties related to what needs to remain on site. To our knowledge affected parties are currently agreeable to the sub-contractor's use of the site, barring an effort to minimize the use of the property on Rt. 54 as the project progresses (i.e. new material deliveries go to the Mt. Carmel Yard). We will continue to monitor this situation.*

***Paving Restoration:** The restoration methods, currently being implemented, have resulted in a better temporary riding surface. Our office will continue to monitor this progress.*

***Administrative Issues:** In accordance with the MOU the Contractor was to provide signed change orders officially requesting the extension of time. We prepared the Change Orders and sent them to the Contractor twice. As of this writing, **we still do not have these documents returned to our office.** In order for the Town to receive reimbursement from USDA, these change orders need to be executed. Our only recourse will be to require these documents as a condition of the Contractor's payment request. *Consequently, also as of this writing the Contractor has not met the submission deadline for payment requests. We will discuss this and other issues with the PWTC and provide any updates or revisions to Council at Monday night's meeting.**

Motion by Councilperson Pullia, seconded by Councilperson Bertino, authorize payment to Paramount in the amount of \$162,440.80 on this months bill list contingent upon Paramount filing the necessary paperwork with ARH.

ROLL CALL

Councilpersons:
 Barberio - Yes
 Bertino - Yes
 Gribbin - Yes
 Lewis - Yes
 Pullia - Yes
 Rodio - Yes
 Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

6. **Lincoln Street SJ Gas Site Remediation (ARH #11-30000):**
 As reported last meeting, SJG initiated the first phase of the site remediation process at the Lincoln Street well site. Essentially, the activity involved minor excavations and in the worst case, approximately 8x8 and no greater than 4 foot deep. This phase is virtually completed with the exception of asphalt restoration. SJG has agreed to restore areas that are greater than what they disturbed to leave a more homogeneous repair. Ultimately, this will provide a benefit to the site since the area in question is the access for the polls during election events.

 As previously stated, Phase 2 operations will be most likely conducted in the fall and discussions will continue about the impact on the existing chemical feed building facility at that time.
7. **Moss Mill Road/White Horse Pike Utility Extension (ARH #11-50124): (no status change)**
 The project construction is complete. We are currently working with the Contractor to closeout their Contract with the Town. Once complete we will assist with seeking reimbursement from Atlantic County pursuant to the agreement signed with the County.
8. **Boyer Avenue Land Application Site – Drip Irrigation/Beneficial Reuse (ARH #11-50127):**
Optimization Report -
 No change has occurred from the last report with the exception that we are obtaining updated proposals for the next activity. Last months report is as follows:

The PWTC has been dealing with the Route 54 project primarily, therefore, the needed discussions with the Committee to review the elements scheduled for implementation must still occur. ARH, Omni and the Superintendent have met to outline the items for discussion. We will attempt to schedule a meeting with the PWTC later this summer.

Lee Rain – Trial Application -
 We have attempted, however unsuccessfully to obtain data for the drip irrigation progress. As a result, we will be requesting a meeting with Lee Rain in the next week to obtain this data. From there, we will review the results with the PWTC and Omni.
9. **Water Allocation (ARH #11-30088):**
Major Modification Application:
 We contacted the Pinelands staff to determine the status of their report in order to conclude this matter. The staff indicated that the draft report will be released on or about July 16, 2010. At this writing, we have not received a copy.

Future Well:
 Additional discussion has occurred by representatives of the PWTC directly with property owners that would pose viable options for the Town. Hopefully, these discussions will result in a conclusion to this matter in the short term. It is our understanding that meetings with the property owners will occur within the next few weeks and discussed at future PWTC meetings.
10. **Pine, Basin & Oak Road Water Main Extension, Well Contamination (ARH #11-30138):**

As previously reported, a second round of letters was issued during June. It is our understanding that PWTC will be addressing the financing of this project in the upcoming months following additional progress on Route 54 and 4th Street, two major projects currently underway. Pending items that still remain include:

- ~ A formal submission to the Spillfund Program to obtain approval of the design plans and scope following response from the residents.
- ~ Solicitor to finalize the agreements with the Torissi's and Adamucci's related to use of their agricultural wells.

PUBLIC WORKS INFORMATION ITEMS

11. **Boyer Avenue Recreation - Phase III (ARH #11-75003/P2010.0349):**
As authorized last meeting our office is preparing to discuss the Town's funding options with the Green Acres Program. Additionally, we will refocus our current efforts to continue with the diversion of the Eleventh Street property from the Recreation and Open Space Inventory. Once we have an opportunity to revisit the files on this issue, we will discuss the next option with the PWTC and recreation Committee Chairman.
12. **Fourth Street Reconstruction (ARH #11-40034):**
Since the last reporting period a pre-construction meeting was held, contracts were executed and the Contractor has mobilized. The Contractor is currently working on the water system. There will be a need to work within the Fairview Avenue intersection shortly. This work will be scheduled for a Friday so as to not interfere with the Rt. 54 detour route. The Contractor will be out of the Fairview Avenue intersection well before the start of the school year; however final completion of the project will be close to the start of the school. We will continue to monitor the Contractor's efforts and hope to be substantially complete in time for school to start.
13. **Egg Harbor Road Parking Lot (11-40029.04)**
We recently received a letter from the Pinelands Commission related to their initial review of the design plans and reports for the Egg Harbor Road Parking Lot construction project submitted to their office. We are in the process of reviewing their report and will discuss same with the PWTC in further detail at an upcoming meeting.
14. **Pratt Street, Cedar Branch Stream Drainage Easements (ARH #11-06002.03):**
The Town Solicitor has sent out the Agreement to each of the property owners along the drainage corridor for signature. Once all right-of-entry agreements are executed and filed by the Solicitor, the NJDOT will be notified to proceed with the permit requests for stream cleaning.
15. **North Street Drainage (ARH #11-06003):**
As authorized by Council the survey data has been obtained, plotted and a conceptual and final design prepared. The conceptual and then final design was reviewed with the Highway Superintendent, the Public Works Committee Chairman and the property owner. All seemed acceptable with the final design. If authorized to proceed by Mayor and Council, the Public Works Department will go forth with the construction subject to available funds. Prior to actual construction, we will once again meet onsite with the home owner and representatives of the Public Works Committee and Department Personnel to review the installation.
16. **2010 Roadway Resurfacing Program (ARH #11-40040):**
We will be meeting with the PWTC within the next month to once again discuss the various processes, costs, road list, etc. and provide a recommendation to Council for consideration later this year. This work should be completed in the early fall before the weather and roadway surface gets too cold to allow for proper application.
17. **ACIA 2009 Funding Request (ARH #11-40038):**
We will need to further discuss with the PWTC what projects they may want to consider associated with the use of ACIA funds.
18. **Atlantic County Open Space Trust Funds – Rounds 6, 7 & 8 (ARH #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 #6, #7 & #8 funding. The Solicitor will update the Council on this matter. The Solicitor did prepare a Resolution which was passed by Council last meeting related to the following properties:
 - Block 4009, Lot 5: 5.9 +/- acres, abuts 8th Street properties
 - Block 4009, Lots 6 & 7: 11.24 acres, 8th Street
 - Block 4012, Lot 10: 9 acres +/-, 8th Street

The Resolution was forwarded to the County for their records. A response related to the other properties must now be formulated, and where appropriate a request for a reallocation of funds and extension of time formally provided to the County.

We will prepare a proposal for Council's consideration to complete the work required to proceed with the next step for the properties noted above hopefully for the September Council meeting.

19. **Second Road - Berenato and Cioffi Property (ARH #11-01083):**

ARH has completed only the tasks as originally approved by Mayor and Council associated with the above noted property. Henry Weigel from our office has been in contact with the Solicitor related to what would be required by way of further site investigation. Henry has prepared a memo and cost estimate related to the remaining tasks or investigations that will be required for the site. We will be discussing same at an upcoming PWTC meeting and, if acceptable, be presenting a proposal to Council to seek authorization to proceed with the additional work, subject to funding availability.

20. **Hammonton Lake Park (ARH #11-90028):**

Phase II – Planning & Design:

It has been expressed that a basin is not desired in the picnic area. In order to make modifications to the plan and reapply to the Pinelands Commission, we will be supplying a proposal for the altered design. This proposal has been started, however our concentration has been on closing out phase I prior to moving into phase II. Efforts on Phase I are complete, we will discuss with the applicable committee the desired changes to the plan for Phase II. Once the modifications are defined we will provide a proposal for the Town's consideration

SOLICITOR REPORT

1. Cedar Branch Stream
2. Pulte/Blueberry Ridge August 5th meeting
3. Skinner-deferred to Mayor Report
4. Royce Run

Gail McDonald – Jamestown Blvd.

Ms. McDonald was given permission to be heard and advised Mayor and Council of problems with overgrown grass at 2 large play areas, center island and at basin on Jamestown & Centennial Drive at Royce Run Development . She advised that she can hire a contractor in the amount of \$350.00 to cut these areas. However, they need to create a long term maintenance fund and she has been in touch with the Town Solicitor concerning the problems at Royce Run.

No action necessary.

5. Ordinance 16-2010 Tree Ordinance/Environmental Commission Ordinance attached

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

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Solicitor Report Continued

6. Stockton/Town Relationship
7. Cell tower RFP

- 8. COAH
- 9. Fire Department Training Request (Hold Harmless to Atlantic Care)

10. Authorize Purchase Order Dixon Assoc. (Cavuto vs. Hammonton Zoning Board)

Motion by Councilperson Rodio, seconded by Councilperson Gribbin, authorize a purchase order not to exceed \$2,500.00 to Dixon Assoc. for Cavuto vs. Hammonton Zoning Board.

ROLL CALL

- Councilpersons:
- Barberio - Yes
 - Bertino - Yes
 - Gribbin - Yes
 - Lewis - Yes
 - Pullia - Yes
 - Rodio - Yes
 - Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Solicitor Report Continued

- 11. Central Avenue, between Bellevue Avenue & Vine Street water problem to be addressed by WWTP

MAYOR REPORT

Skinner Building has been secured, boarded, locked and fence has been installed
 Wished 11 & 12 year old girls luck in the State Championship tonight
 Wished the boys who are also playing, good luck as well

TOWN CLERK/ADMINISTRATOR REPORT

- 1. Approve 3 month unpaid sick leave of absence Doel Moreno
- 2. Confirm hiring Monica Newton, PT Rec Supervisor, eff 7/19/10, 19 hrs wk, @ \$12.00 hr.
- 3. Re-hire Dominique Acilio, Lifeguard @ \$12.00 hr. contingent upon county approval of lake opening

Motion by Councilperson Bertino, seconded by Councilperson Lewis, town clerk action items 1 through 3 be approved.

ROLL CALL

- Councilpersons:
- Barberio - Yes
 - Bertino - Yes
 - Gribbin - Yes
 - Lewis - Yes
 - Pullia - Yes
 - Rodio - Yes
 - Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILLS & PURCHASE ORDERS

*bill list attached

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, the bills are approved for payment and the requisitions are approved for issuance of purchase orders that require prior approval of council.

ROLL CALL

- Councilpersons:
- Barberio - Yes
 - Bertino - Yes
 - Gribbin - Yes

Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R067-2010 Designate Signature Municipal Court

#R 067-2010

RESOLUTION DESIGNATING OFFICIAL SIGNATURES
FOR ALL MUNICIPAL COURT BANK ACCOUNTS

WHEREAS, Court Rule 1:33-1 designates the Chief Justice of the Supreme Court as the responsible party for the administration of all courts in the State of New Jersey; and

WHEREAS, the Court Financial (Rev. 5/06) requires only municipal court personnel to sign all municipal court checks.

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 Court Administrator, Deputy Court Administrator and Municipal Court Judge be recognized as those official's whose signatures may be placed on municipal court checks.

BE IT FURTHER RESOLVED that a copy of this resolution shall be filed with all banks that administer municipal court accounts for the Town of Hammonton.

#R068-2010 Certify Governing Body Reviewed Audit

#R 068 -2010

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 2009** 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.

#R069-2010 Corrective Action Plan – Audit Findings

**#R 069-2010
CORRECTIVE ACTION PLAN**

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2009.

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 2009 Report of Audit is as follows:

Finding No. 2009-1:

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. The Chief Financial Officer exhausted numerous possibilities to have these calculations prepared at no cost to the taxpayers without success. 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 future budget years in order to solely comply with a financial disclosure requirement that has no financial impact on the Town's current operations.

BE IT RESOLVED, that the Corrective Action Plan for the 2009 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.

#R070-2010 Authorized Refund Cancelled Electrical Permit

RESOLUTION # 070-2010

RESOLUTION AUTHORIZING REFUND FOR

CANCELLED ELECTRICAL PERMIT

WHEREAS, Slomin's applied for electrical permit in the amount of \$51.00; and

WHEREAS, electrical work was cancelled prior to initiating job; and

WHEREAS, Slomin's has requested a refund of electrical permit fee of \$51.00; and

WHEREAS, Frank Domenico, Construction Official, has reviewed request and is in agreement with refunding the \$50.00 Town electrical permit fee; and

WHEREAS, the \$1.00 State surcharge is non-refundable;

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 Slomin's be refunded \$50.00 electrical permit fee.

#R071-2010 Tax Resolution

#R 71-2010

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
4604-27	B&D Assoc	137 S W.H.P.	113.00	Water	Refund Overpayment	Rosie
1101-13.01	Handabak	501 Line St.	15.56	Tax	adj. Res #63-2010 didn't charge	Rosie
					int., Totaling 1571.99	
3103-1	Scipione	576 Fairview	1,116.54	Tax	Refund Overpayment	Rosie
2506-1	Lounsberry	528 Passmore	1,033.42	Tax	Refund Overpayment	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.

#R 072 -2010 Community Development Block Grant Agreement

COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT

WHEREAS, by letter dated May 7, 2010 the US Department of Housing and Urban Development (HUD) provided notification to Hammonton of its status as a potential metropolitan city eligible to receive an allocation of funds from the CDBG Program for FY 2011; and

WHEREAS, that letter provided four options to Hammonton with regard to its participation in the CDBG program as a metropolitan city for FY 2011; and

WHEREAS, Hammonton selected the option to accept status of an entitlement grantee as a metropolitan city and enter into a Joint Agreement with the Atlantic County Urban County for the purposes of grant administration, planning and implementation, subject to a request from the Urban County and Hammonton that a waiver be granted by HUD per the regulations at 24CFR 570.308; and

WHEREAS, the Urban County and Hammonton requested that waiver and have been informed by HUD that the waiver was granted; and

WHEREAS, in order to participate with the County in the Urban County Program it is necessary for the Town of Hammonton to enter into a Joint Agreement with the County and to participate for the remainder of the Urban County Qualification period which includes FY 2011 and FY 2012; and

WHEREAS, the Town of Hammonton may not apply for grants or appropriations under the Small Cities or State CDBG Programs for the fiscal years during the period in which it participates in the Urban County CDBG Program; and

WHEREAS, the Town of Hammonton desires to enter into this Joint Agreement with the County in the Urban County program; and

WHEREAS, the Interlocal Services Act NJSA 40:8A-1 et seq. Authorizes counties and municipalities to enter into agreements for the provision of joint services; and

WHEREAS, the execution of the Cooperation Agreement does not require the Local Government to expend municipal funds;

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached Joint Cooperation Agreement with the County, and other local governments, in substantially the following form with such minor changes as may be required by HUD.
2. This Cooperation Agreement shall be effective for the remaining year of the Urban County Qualification period, FY 2011 and FY 2012 and shall be automatically renewed for participation in successive three year qualification periods unless the County or the Town of Hammonton provides written notice it elects not to participate for a new qualification period.
3. HUD requires that this Cooperation Agreement may have to be amended to incorporate changes necessary to comply with federal requirements for future qualification periods. Failure to comply will void the automatic renewal for such qualification period.
4. All resolution or parts of resolutions inconsistent with this resolution are hereby repealed to the extent of their inconsistency.
5. The Clerk is hereby direct to provide a certified copy of this Resolution together with the annexed Cooperation Agreement, duly executed, to the County Executive.

#R073-2010 Extend Tax Deadline Due to Late Billing

WHEREAS, the 2010-2011 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, 2010.

#R074-2010 Bike Path Extension Grant Application

#R075-2010 Roadway Improvements Project Grant Application

#R076-2010 Downtown Sidewalk Extension Project Grant Application

#R077-2010 Gateway to Hammonton Grant Application

Motion by Councilperson Lewis, seconded by Councilperson Bertino, resolutions 67 through 77 are adopted.

ROLL CALL

Councilpersons:

Barberio - Yes
Bertino - Yes
Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Mayor DiDonato invited Frank Zuber, Town Accountant, to report on the corrective action plan resolution for the audit finding which requires the town to hire an actuary, at a cost to the Town, to perform a cost estimate for active and retired employees on the 2 private insurance plans, Dental and Vision. The Town is looking into alternatives to paying an actuary which include preparing the cost estimate ourselves via computer program.

PUBLIC HEARD

Anthony Mortellite

Mr. Mortellite thanked Mayor and Council for a good job on the guard rail he requested be placed at park at last meeting of Council and questioned why was the original contractor not liable for the cost of same?

Councilman Barberio explained that some changes were made to the walkways during construction and that piece of guard rail was not in the original proposal.

Mr. Mortellite questioned are you going to asphalt the entire walk way?

Councilman Barberio advised in which areas asphalt will be placed in the future.

Mr. Mortellite questioned trees that were to be planted?

Councilman Barberio advised the weather has been too hot to plant trees.

Mark Santora

Mr. Santora questioned the Solicitor report on Pulte August 5 meeting as he was taking a phone call when that was reported on earlier in the meeting.

The Solicitor once again reported on Pulte August 5 meeting for Mr. Santora.

Ed Burner

Mr. Burner questioned status of his request to lower speed limit on Third Street.

Solicitor advised the County would have to approve lowering speed limit as this is a county roadway. However, the Town did send a request for same to the County with police reports. The county did investigate and perform a traffic survey and deemed the speed limit to be proper.

Mr. Burner than questioned could the town perform street sweeping on Old Forks Road and Traditions at Blueberry?

Councilman Rodio will look into same with ACUA.

MEETING ADJOURNED

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, the meeting is adjourned. Motion carried.

Minutes recorded by April Boyer Maimone, Assistant Clerk