

Minutes Regular Meeting of Mayor and Council – September 23, 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

#R113-2013 Executive Session

#R113-2013

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. Disciplinary Action – Highway Employee
2. Revaluation
3. Dan Haug-Terminate Contract for Airport Hangar
4. Solar Project at Waste Water Plant
5. TIGG Contract
6. Olive Litigation
7. COAH
8. Route 54 Negotiations with Bond Company
9. Cavuto-White Horse Pike Project
10. OPRA Request - Killion
11. Henning/Hammonton Lake
12. 2nd Amendment Case Resolution

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 Carpo, seconded by Councilperson Esposito, 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.

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.

Thank You Mother's Club Donation

Mrs. Julie Fink, President of the Mothers Club, presented a donation in the amount of \$4500 to Parks and Recreation and advised on some community projects in which Mothers Club participates.

Mayor DiDonato thanked the Mothers Club for their generous donation to the Town.

Mayor Proclamation – Elsie Baez

Mayor DiDonato presented a Proclamation to Elsie Baez for her hard work in the “Back to School” event which provides children of the community with necessary school supplies.

Mrs. Baez thanked Mayor and Council for their recognition.

Stockton College Presentation

Dr. Conran thanked the community for the warm welcome given to Stockton College and went on to give a power point presentation on activities and classes taking place.

Mayor DiDonato thanked Dr. Conran for her presentation this evening.

Insurance Presentation – P.J. Pullia, Risk Manager

Mr. P.J. Pullia, Risk Manager, gave a presentation concerning the 2014-2016 insurance renewal for the Town of Hammonton and the proposed change in insurance provider from Atlantic County Municipal Joint Insurance Fund to the Statewide Insurance Fund with an anticipated savings of \$150,000.00 per year.

#R113A and #R113B – 2013

After a question and answer discussion it was on motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize Town of Hammonton to enter into insurance agreement with the Statewide Insurance Fund and P.J. Pullia of MLR Risk Mgt LLC effective 1/1/14-12/31/16.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Recused

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVAL OF MINUTES

Executive Session August 26, 2013

Regular Meeting August 26, 2013

Special Joint Meeting September 11, 2013

Motion by Councilperson Bachalis, seconded by Councilperson Esposito, 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.

Thank You-Judge Frank Raso

Judge Frank Raso thanked Mayor and Council for their purchase of security equipment for court and suggested it be used for council meetings as well.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Hearing Continued Ordinance #018-2013 Vacate Roadways

*Ordinance #018-2013 Adoption To Include 1-5 Contingencies Below

1. The Solicitor be provided with a copy of the Title report for the property which would stipulate how the property encompassing the street vacation would be distributed to the affected adjacent property owners.
2. The Applicant will satisfy all the appropriate conditions of the Planning Board approval that would allow for the street vacation request to proceed forward.
3. The Applicant shall be responsible for all costs associated with the research, review, meetings, advertisement, legal expenses, etc. associated with perfecting the vacation request and distribution of ground to the affected property owners.
4. The Tax Assessor shall approve the assignment of new lot numbers for the lot consolidation and street vacation. The Applicant shall be responsible for the cost to make the appropriate tax map revisions.
5. Approve the request to occupy the cold storage building subject to the applicant and site contractor providing safe access and parking at the site for the general public and deliveries. Also that no reduction to the site project improvement performance bond is recommended at this time.

Ordinance #018-2013

AN ORDINANCE VACATING A PORTION OF TERRACE AVENUE (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 & Block 3915, Lot 1), BALA AVENUE (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 & Block 3915, Lot 1) AND A PORTION OF FORREST AVENUE (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 & Block 3915, Lot 1) IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC (WITHIN SAID BOUNDS 43,516 SQUARE FEET)

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

WHEREAS, in the Town of Hammonton there exists unimproved municipal roadways adjacent to various lots within portions of Terrace Avenue, Bala Avenue and portions of Forrest Avenue, as referenced in the caption of this Ordinance and as noted on the Tax Map of the Town of Hammonton; and

WHEREAS, the Mayor and Common Council have determined, pursuant to N.J.S.A. 40:67 -1 (b) and 40:67-19, that it is in the public interest to vacate a portion of Terrace Avenue, Bala Avenue and a portion of Forrest Avenue as they currently exist and for ownership of the underlying land to revert in equal proportion to the current adjoining land owners as detailed in Exhibit "A"; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b) and 40:67-19, the Town of Hammonton expressly reserves and excepts from vacation all rights and privileges possessed by municipal utilities and public utilities, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace their existing facilities in, adjacent to, over or under the vacated portions of Terrace Avenue, Bala Avenue and Forrest Avenue; and

WHEREAS, the Town of Hammonton Municipal Engineer has reviewed the proposed vacation and finds that same is consistent with the public interest, and that it is in the best interest of the municipality; and

WHEREAS, the interests of the public will be served by this vacation, since the vacated portions of Terrace Avenue, Bala Avenue and Forrest Avenue are unnecessary for public transportation or any other municipal purposes and the vacation will lead to the improvement of the property in the surrounding areas without any detriment to the interests of the public.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton as follows:

Section 1. Pursuant to N.J.S.A. 40:67-1 (b), a portion of Terrace Avenue (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 and Block 3915, Lot 1), Bala Avenue (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 and Block 3915, Lot 1) and a portion of Forrest Avenue (Block 3914, Lots 1-4, Block 3909, Lots 1 and 2 and Block 3915, Lot 1) described in Exhibit "A" are hereby vacated, subject only to the express reservation by the Town from the vacation, all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof to be vacated.

Section 2. Pursuant to N.J.S.A. 40:49-2 and N.J.S.A. 40:49-6, the Town Clerk shall cause this Ordinance to be published, together with notice of its introduction in a newspaper published and circulated within the Town of Hammonton, if there be one, and if not, in a newspaper printed in Atlantic County and circulating in the Town of Hammonton, once, not less than (10) ten days prior to the time fixed for second reading and final passage.

Section 3. The Town Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof pursuant to N.J.S.A. 40:49-6.

Section 4. Upon final passage after second reading, the Town Clerk shall forthwith file a certified copy of the Ordinance in the office of the Town Clerk.

Section 5. The Town Clerk shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy of this Ordinance, together with a copy of the proof of publication thereof, with the Office of the Atlantic County Clerk pursuant to N.J.S.A. 40:67-21.

Section 6. All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage and publication with notice of the date of passage, according to law.

Motion by Councilperson , seconded by Councilperson , a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Carpo, a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, the hearing is closed, the ordinance passed second reading and is adopted along with contingencies 1-5 as listed above Ordinance #018-2013 per Engineer Report.

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. ACUA - Thank you

Mayor and Council thanked ACUA representatives, present this evening, for the donation of recycling bucket placement on "Downtown Main Street" and collection of recyclables from these buckets.

3. Ordinance #019-2013 Bond Ordinance Well 4 (NO ACTION THIS EVENING)
Municipal Clerk Re-Advertised for Public Hearing to now be held October 28, 2013 at 7:00 pm
4. Hearing Ordinance #020-2013 Control Invasive Plants
AN ORDINANCE TO PROTECT AND PROMOTE THE PUBLIC HEALTH THROUGH
THE CONTROL OF THE GROWTH OF INVASIVE PLANT SPECIES

Number 1. Definition of Invasive Plants

All native and non-native vines and vegetation that grow out of place and are competitive, persistent, and pernicious. These plants may damage trees, vegetation, or structures. Examples include but are not limited to bamboo (spreading or running type), ragweed, multi flora rose, kudzu-vine and poison ivy or oak as well as the invasive plants species lists developed by the New Jersey Species Strike Team and the New Jersey Forestry Association.

Number 2. Control of Growth

All persons must control the growth of invasive plants. Failure to control the spread of such vegetation beyond the boundaries of a resident's property is a violation of this chapter.

Number 3. Inspections

All places and premises in the Town of Hammonton shall be subject to inspection by the enforcing officer. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Town of Hammonton. Such inspection shall be made if that official has reason to believe that any section of this chapter is being violated.

Number 4. Violations and Penalties

Whenever an invasive plant, as defined by this chapter, is found on any plot of land, lot or any other premises or place, a violation notice shall be given to the owner, in writing, to remove or abate the same within such time as shall be specified therein, taking into account the nature of the specific invasive species.

The cost of abatement shall be borne by the property owner.

If the owner fails to comply with such notice within the time specified therein, the enforcing official may remove or otherwise control the invasive plant species and the Town may thereafter recover the cost of such removal from the property owner and place a lien on the property to recover the cost of invasive plant removal.

Motion by Councilperson Bachalis, seconded by Councilperson Pullia, a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

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

5. Hearing Ordinance #021-2013 Renew Consent South Jersey Gas

AN ORDINANCE

GRANTING RENEWED CONSENT AND PERMISSION TO THE SOUTH JERSEY GAS COMPANY TO USE
THE PUBLIC STREETS TO FURNISH GAS
FOR LIGHT, HEAT AND POWER IN THE TOWN OF HAMMONTON

WHEREAS, South Jersey Gas Company, a New Jersey corporation, provides natural gas service to Town of Hammonton pursuant to the municipal consent first granted to South Jersey Gas Company in that certain Ordinance passed on October 27, 1947 ; and

WHEREAS, South Jersey Gas Company now seeks, pursuant to N.J.S.A. 48:3-15, the consent of the Town of Hammonton to renew the October 27, 1947 Ordinance, Section 2, applicable to the use of the streets in the Town of Hammonton, by adopting the following Ordinance; and

WHEREAS, the Mayor and Council of the Town of Hammonton have concluded that the granting of said consent shall enhance the health, safety and welfare of the citizens of the Town of Hammonton.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON AS FOLLOWS:

Section 1. That exclusive consent and permission is hereby renewed and given to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the Town of Hammonton in the manner required by N.J.S.A. 48:9-21, and subject to reasonable regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to approval of such consent and permission by the Board of Public Utilities.

Section 2. This consent is granted for the entire geographical area of the Town of Hammonton and extend to the boundaries of the Town of Hammonton. Further this consent shall remain in effect for a period of fifty (50) years from the date of final adoption of this Ordinance by Mayor and Council of the Town of Hammonton.

Section 3. The said South Jersey Gas Company shall within thirty (30) days after the passage of this Ordinance file with the Town Clerk a bond in the amount of Five Thousand Dollars (\$5,000.00) conditioned upon the restoration of any street or public place which may be opened by it in a manner satisfactory to the Public Works Manager.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

Section 5. This Ordinance shall take effect after immediately upon its final passage and publication according to law, and acceptance by South Jersey Gas Company.

Motion by Councilperson Rodio, seconded by Councilperson Furgione, a hearing on this ordinance will now be held and anyone desiring may now have the opportunity to be heard.

No one desired to be heard.

Motion by Councilperson Furgione, seconded by Councilperson Bachalis, the hearing is closed, the ordinance passed second reading and 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/Business & Industry -Councilperson Esposito

Report on Administration Committee Meeting-thank you PJ Pullia and Frank Zuber insurance renewal

Announcement new business openings

Advise on upcoming events

Education-Councilperson Furgione

Report on Board of Education Matters (Safe Routes to Schools)

Stockton College taken up earlier this evening

Public Works & Transportation-Councilperson Rodio

Defer action items to Town Engineer Report and PWM/BA Report

Law & Order-Mayor DiDonato

Report meeting NJ DEP increase patrols State owned property in and around the Hammonton Lake

Report on Town seeking Part Time Class II Special Police Officer (court metal detector & school patrol)

Motion by Councilperson Pullia, seconded by Councilperson Carpo, authorize Clerk to advertise for PT Special Police Officer to monitor court metal detector and provide additional police patrol at schools for 2013-2014.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Quality of Life – Councilperson Bachalis

Report on Green Day Festival & Green Weekend-thanked those volunteers and financial sponsors who supported event

Water & Sewer – Councilperson Pullia

Defer action items to Engineer report

Report on projects

Report on wells 1 & 3

Report on Well 4 bond ordinance for short term funding

Report on decline in water usage-thanked residents for their conservation

Solar project at WWTP complete and running

3rd Quarter Water Testing will commence in October

Water Meter replacement announcement

Engineer to schedule SJ Gas meeting-road openings

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

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

The goal for both the Town and NJDEP is to have all wells back in service prior to the peak demand needs which occur in July of each year if possible. Keep in mind there must always be a back-up Well available to Wells #5 & #7 at any given time.

In order to meet the schedule as set forth in the Order, a comprehensive Water System Bond Ordinance was being introduced at the September meeting. The Bond Ordinance will have its second reading and public hearing at the October meeting of Council. Well #4 will be paid for from the NJEIT program whereby the Town is optimistic that they will be a strong candidate for a 50% grant. The Wells #1 and #3 remediation will be paid for by a grant from NJDEP Spillfund. Both are reimbursement programs, therefore the Town will need interim financing for each.

Radium at Well #5/#7 - Building Construction:

This project is closed out including the NJEIT final inspection that occurred on August 5, 2013. We just received the approval of the project change orders from the State.

Well #4 Radium Treatment Facility and Air Stripper:

Plans and Specifications were delivered to NJDEP for Safe Drinking Water permit on April 1, 2013. The permit to construct was issued on July 15, 2013. We are in need of the Authorization to Advertise (ATA) from the NJEIT which we expect shortly. In order to keep the project on schedule with the amended AACO, we will seek authorization to advertise for bid. The following schedule would appear:

First Appearance of Project Advertisement – September 27, 2013

Receipt of Bids – October 17, 2013

Possible Contract Award with Conditions – October 28, 2013

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. This submission was completed by the April 30, 2013 deadline.

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

NJDEP Spillfund reviewed and approved the Alternatives Analysis prepared by ARH for the permanent treatment of Wells #1 and #3 due to the presence of ethylene dibromide (EDB) and tetrachloroethylene (PCE). This action sets the stage for the funding of this project. The project will result in the conversion of

temporary treatment measures that were installed on Wells #1 and #3 to have the Town be capable of supplying safe drinking water from these sources during the summer of 2013. The next step for the NJDEP to advertise their findings and allow for a 30 comment period to transpire. As authorized last meeting, the Town Solicitor and Business Administrator are to discuss the purchase of the existing treatment units from TIGG Corporation to be incorporated into the permanent treatment unit design. The agreement with TIGG Corporation needs to be completed quickly so that we could include these units in the permanent design. Purchase and use of these units should result in an overall project cost saving to the Town.

Earlier this summer, we presented the budget for Well #1 & #3 as follows:

1) Contractor Mobilization Costs	\$45,000.00
2) Furnish and Install 4 Carbon Filters with Media	\$200,000.00
3) Internal Piping and Automatic Valves	\$120,000.00
4) Yard Piping	\$30,000.00
5) Well Pump #1 Upgrade	\$55,000.00
6) Electrical and Controls	\$75,000.00
7) Building Modifications	<u>\$225,000.00</u>
TOTAL	\$750,000.00

According to the Contract, NJDEP will pay for construction, permits, engineering (design and inspection) up to the 15% of the accepted construction cost, 5% of the construction cost for administrative items and 15% for contingencies. Based on a \$750,000.00 construction cost estimate, the overall project funding is estimated as \$1,041,900.00 as follows:

	ITEM	APPLICATION AMOUNT
1	Building Costs	\$750,000.00
2	Permits	\$6,000.00
3	Engineering (15%)	\$112,500.00
4	Legal and Administrative (5%)	\$37,500.00
	Sub-Total	<u>\$906,000.00</u>
5	Contingencies (15%)	\$135,900.00
	Total Project Cost	\$1,041,900.00

In order to meet the ACO schedule, a portion of the ARH design and permitting contract was authorized last Council meeting. It is our understanding that the balance of the proposal could be acted on after the Bond Ordinance is passed which should occur at the October Council meeting.

AACO Compliance Dates:

- ~ Licensed Operator compliance – October 31, 2012 (COMPLETED)
- ~ Licensed Operator succession plan – (COMPLETED)
- ~ Wells #5/#7 Radium Removal – (COMPLETED)
- ~ Well #4 Radium Removal – project completion July 31, 2014
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – June 30, 2014
- ~ Well #1 VOC Removal – (TEMPORARY SOLUTION, COMPLETED)
- ~ Well #1 & 3 VOC Removal – (PERMANENT SOLUTION, CONSTRUCTION START, 4/1/14)
- ~ Well #1 & 3 – VOC Removal – (OPERATIONAL BY SEPTEMBER 1, 2014)

Motion by Councilperson Pullia, seconded by Councilperson Esposito, authorize ARH to advertise for the receipt of bids for the Well #4 remediation project as soon as possible once the ATA is received. The goal will be

to receive bids on Thursday, October 17th and consider a recommendation of award with conditions at the October 28th Council meeting.

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. Boyer Avenue Pinelands Compliance (ARH #11-50058):

At present time the Town has until December 10, 2013 to provide an implementation schedule to the Pinelands Commission. Failure to have a plan of action by this deadline could result in the imposition of a sewer service moratorium. We will provide Council, under a separate transmittal, a proposal to design the distribution system; which includes booster pumps and drip line sizing for conveyance purposes both for the overland wooded application and for the subsurface drip application to the recreation fields.

Our proposal includes a design to build out the recreation site with underground drip irrigation. This will include a design on all existing and current proposed fields. It will benefit the Town as relates to meeting the Pinelands Compliance requirements if we are under design for the drip irrigation system prior to the December 10, 2013 deadline. At that time we can outline the schedule to install the drip irrigation system. Included in the ARH proposal are the services of an irrigation consultant to assist with sizing the required piping and committed flow to each section of the Boyer Avenue site. The use of an electrical consultant is also included in our proposal. Although the design and permitting for the Drip Irrigation will include the entire useable area of the site, consisting of about 50 +/- acres, the contractor portion of the Drip Irrigation will be completed in phases. The Phase I portion for the wooded area is 8.9 +/- acres and the Phase I portion of the active recreation is 7.5 +/- acres.

Motion by Councilperson Pullia, seconded by Councilperson Bachalis, authorize ARH to complete the design of the drip irrigation system allowing the Town to proceed with in-house installation where possible and future public contracts to install the required components in the amount of \$85,500.00.

A discussion of Mayor and Council was held concerning reducing project costs vs. potential sewer moratorium if project does not meet Pinelands Approval with Councilman Furgione asking to be put on record that he does not agree with receiving a proposal for \$85,500 from ARH on the afternoon prior to the Council Meeting and he feels this project has been poorly planned.

Mayor DiDonato disagreed and stated the Council Committee has spent much time and researched many avenues in preparation of this project.

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. 2015 Fiscal Year, NJEIT Projects

If the Town of Hammonton is interested in seeking NJEIT funds for Fiscal Year 2015, a Letter of Intent (LOI) must be forwarded to them by October 7, 2013 listing the projects to be considered. The following projects have been discussed as possible candidates for consideration:

1. **SCADA system improvements:** This project did receive a favorable review by the NJEIT during this present fiscal year funding. It was decided to delay the acceptance of these funds at the time due to other major projects that need to be completed.
2. **Drip Irrigation Boyer Avenue:** Recreation Field Installation, both shallow and deep subsurface.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize submission of an LOI makes the NJEIT aware of the Town's interest in participation in their funding program for fiscal year 2015 in the amount of \$5600 from Municipal Utility Department O.E. Monies expended now are reimbursable under the planning portion of the funding received.

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. Pratt, Packard, Grape & Second Street Utility Replacement (ARH #11-40046):

Applications for NJDEP Safe Drinking Water and Treatment Works approval were submitted along with submission to various other agencies. The status of the approval and permitting process from the various agencies are as follows:

- NJEIT Environmental – *Approval received 8/1/13*
- Cape Atlantic Soils Conservation District – *Approval received 7/16/13*
- NJDEP Bureau of Safe Drinking Water – *Approval received 8/30/13*
- NJDEP Treatment Works Approval – *Approval received 7/24/13*
- Atlantic County Roadway Opening Permit – *Application to be made shortly*
- NJEIT Funding Approval – *Presently responding to latest review comments; approval pending*
- Environmental Commission Tree Removal Permit – *Approval received 9/12/13*

We discussed with the PWTC the possibility of including the Utility and Roadway Improvement Program in total or in parts with the funding contemplated for an overall encompassing funding appropriation. The appropriation could also include the work required for the drainage improvements at Lakeview Avenue and the White Horse Pike intersection. A final decision related to same will be required of Mayor and Council quickly so that the deadlines (January 2014) for project bid, award and construction could occur. There is also a responsibility to bid the Pratt Street project within the same general timeframe so as to not lose the funds allotted by the NJDOT. Discussion also occurred related to the possible benefit of bidding Pratt Street as a separate project. We will need to check with the NJEIT related to this possibility and advise Council of their direction. The total estimated cost for all of the above noted projects will be between \$5.75 and \$6.0 million. In discussion with the PWTC, it was felt to be in the best interest of the Town to seek

authorization to finalize the submission to each of the review agencies, seek the remaining permits and advertise for the receipt of bids as soon as possible. The goal to bid the project in January of 2014 will be sought.

Motion by Councilperson Esposito, seconded by Councilperson Rodio, authorize ARH to finalize the bid package, obtain remaining approvals and advertise for receipt of bids once all remaining items, approvals and receipt of an Authorization to Advertise (ATA) is received. *This is not a vote on funding which has been addressed at a previous meeting.

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 ACTION ITEMS

5. Drainage Projects: Lakeview Drive and White Horse Pike (ARH #11-60202.03):

As previously reported, the Town received a letter from the Governor's office dated 5/13/13 related to an approval of the \$247,000.00 allotment request. As noted in the letter, the project must be completed by 12/26/14 to comply with funding requirements. Due to the NJDOT deadline for project award (12/26/14), the Mayor and Council may want to consider placing the cost for the project funding, design, construction and construction management into the overall funding appropriation presently being considered for the other road construction program which includes Grape, Packard, Second and Pratt Streets. We will be guided by Council's direction.

We will be preparing a proposal for Council's consideration to complete the final design plan modifications, submission to the NJDOT, submission to SCD, project specifications, bid documents, etc. in order to proceed to bid. This proposal will be distributed to the Mayor and Council under a separate cover consideration at Monday night's Council meeting. This design and bidding phase is not reimbursable through the grant. We will provide the Town with a proposal for the Construction Management work at a later date once the project is bid. There may be a portion of the Construction Management costs that could be reimbursable by the NJDOT if any funds remain after the construction work is completed. Discussion at the PWTC meeting also felt it would be advantageous to advertise for bid once all approvals are obtained.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve ARH proposal to finalize the design plans, permits, approvals, etc. receive authorization to bid from the NJDOT at a cost of \$4600.00.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

6. Roadway Opening Waiver Request – 281 Pine Road (ARH #11-01000):

Earlier this year we denied a roadway opening permit request for gas service installation for the above noted address due to the moratorium on street openings for newly paved roadways. The applicant has applied for a waiver from the moratorium and has supplied a letter from Jersey Shore Inc. (see attached) stipulating the hardship associated with this property. We have also attached a copy of the roadway opening plan as prepared by SJ Gas Co. The Mayor and Town Council have the ability to grant the waiver for hardship reasons provided that the restoration of the disturbed roadway surface is completed with a method that would reduce the appearance of the disturbed surface and settlement potential. The extent of the pavement disturbance as proposed will be a 1' x 1' opening in the pavement over the new water main installation. We will once again be contacting the representatives from S.J. Gas to seek relief from their standard by supplying Water Department supervision, water main as-built information, etc. to assist in their installation.

As noted earlier, Mayor and Council can grant relief from the roadway opening moratorium and impose street installation or restoration standards associated with the opening requests. We will advise Council as to our most recent conversations with S.J. Gas Company.

Motion by Councilperson Furgione, seconded by Councilperson Esposito, authorize PWTC to advocate to South Jersey Gas on behalf of resident at 281 Pine Road to provide gas service by using a mole under the roadway rather than open the roadway per town code regarding newly paved roadways.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

The Hammonton Tax Map was delivered to the State's Division of Taxation for review on August 12th. After several discussions and the completion of some additional revisions, the State Division of Taxation has issued a letter of approval dated 9/6/13. As required, the mylar revision of the completed tax map was delivered to the State and we are waiting for them to apply the certification stamp and number to these plans.

One of the items agreed to was to provide for the vacation of an Unnamed Road 16.5' wide that extends through present Block 1201 and Lots 5 & 5.01. We have attached a copy of the old tax map and aerial photograph noting the location of the Unnamed Road.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, authorize the Town Solicitor to draft the ordinance to provide for the vacation of unnamed public street as it extends through Block 1201, Lots 5 & 5.01 between 12th Street and Commerce Way.

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. Weymouth Road Drainage (P2013-0227):

RESOLUTION #118-2013

AUTHORIZE THE MAYOR TO EXECUTE THE INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWN OF HAMMONTON AND COUNTY OF ATLANTIC RELATED TO WEYMOUTH ROAD (COUNTY ROUTE #640) DRAINAGE IMPROVEMENTS

WHEREAS, the Town of Hammonton and the County of Atlantic recognize there exists the need to remedy an existing drainage concern at three (3) locations on Weymouth Road (County Route #640) extending between Reading Avenue and First Road (County Route #688); and

WHEREAS, the representatives from the Town of Hammonton and County of Atlantic have met, discussed possible solutions and have agreed that a cooperative effort would be best to resolve the drainage concern; and

WHEREAS, the Town Engineer has provided a cost estimate to the Town and County to complete the survey, design and related tasks associated with the project; and

WHEREAS, The Town Engineer's estimate for the work intended has been approved by each party and has development into the County's preparation of an Interlocal Services Agreement for execution by the Town and County; and

WHEREAS, the Mayor and Town Council of the Town of Hammonton and the Atlantic County Board of Chosen Freeholders has approved the proposed Interlocal Services Agreement.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Town Council of the Town of Hammonton authorize the Mayor, Clerk and Solicitor to sign the Interlocal Services Agreement on behalf of the Town and forward same to the County of Atlantic for their signature.

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

9. Pinto GKP Site Plan Street Vacation Request (ARH#11-10026.02):

ACTION TAKEN UNDER ORDINANCE #018-2013 HEARING

10. **Pinto GKP Site Plan Occupancy Permit for the Cold Storage Building Phase I (ARH #11-10026.03):**
ACTION TAKEN UNDER ORDINANCE #018-2013 HEARING

11. **Calvary Chapel Site Improvements (ARH #11-12039):**

The Quality of Life Committee conducted an on-site inspection of the site improvements at the applicant's request for a reduction or release of the project performance bond. The majority of the site improvements have been completed with only some buffer landscaping and trash enclosure improvements still to occur. The Committee agreed that a reduction in the project performance bond is warranted up to the maximum amount allowed by the Municipal Land Use Law and per the Town Ordinance Standards.

Motion by Councilperson Bachalis, seconded by Councilperson Carpo, authorize reduction of the project improvement Performance Bond (#2012-02), Letter of Credit issued by Capital Bank on January 30, 2012 to an amount equal to \$10,103.40 until such time as the remaining site improvement items are completed.

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:

12. **AT&T Communications Antennae, Lincoln Street (11-30156):**

The Solicitor is finalizing the lease agreement to include the conditions approved by Council. The Design Consultant for AT&T must submit revised design plans and details to comply with the conditions. We also met on-site with the MUD Superintendent, representatives from AT&T, Bechtel Engineering, Verizon and Atlantic City Electric to discuss the relocation of their control panels at the Lincoln Street site. We are waiting for revised Exhibits to be submitted by their Design Consultant.

13. **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)

The scope of work cannot be expanded and the project has moved to close-out as requested by the NJEIT.

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

Same report as last month:

There are approximately 30 homes that must connect under the project. Helmer has fully connected all but one of the connections at this writing. We have contacted the one remaining connection and they remain steadfast in refusing to connect. This matter will be deferred to the Solicitor since it affects the NJDEP contract conditions.

Contract #3 – Well Sealing (Steffen Well Drilling)

Steffen began preliminary work associated with sealing wells that have not applied for a farm waiver exemption.

General Issues

Funding Status:

The project will proceed to close-out with NJEIT and Spillfund. No additional scope will be allowed.

Connection by Non-CKE Residents:

No change from previous report.

Summary of Last Month's Activity/Pending Items:

- Resolve the one remaining connection issue remaining under Contract #2.
- Continue on Contract #3.
- Finalize the farm waiver applications and obtain a final determination from NJDEP related to project scope.

14. Route 54/Bellevue Avenue Utilities (ARH #11-50120): - No Status Change

As of May 21, 2013; the Contractor has returned to the site and addressed the remaining punch list items. We will be proceeding with a recommendation to close out the project subject to review and concurrence from the Solicitor.

PUBLIC WORKS INFORMATION ITEMS

15. ACIA Funding – 2014 CDBG (ARH# 2013-0520):

As authorized last Council meeting, ARH completed, filed and responded to the request for additional information from the Atlantic County Improvement Authority in conjunction with the use of Community Development Block Grant Funds totaling \$74,914.86.

We also worked with Frank Zuber and Jerry Barberio to provide construction cost estimates for their inclusion in a State Program for Community Development Block Grant application. Both projects were completed by ARH staff at no cost to the Town.

16. 2014 Municipal Aid Program (ARH# 11-40041):

As previously authorized, we have been preparing an application to request Municipal Aid Funding for the following projects:

- **14th Street** reconstruction/resurfacing of from 2nd Road to the Town boundary line with Folsom.
- **Bikeway** – plans to connect from the existing Train Station (11th Street) to Egg Harbor Road via Veterans Place.
- **Safe Routes to Transit** – will include sidewalk near the Historic Train Station and along Front Street. Applications are due on the 20th and will be submitted prior to this meeting.

17. Kramer Beverage Basin Maintenance Bond Release (ARH #50-51394):

On Saturday, September 14th the Quality of Life Committee met on-site to review the conditions of the on-site stormwater recharge basin. The majority of the basin was drained to a point of minimal standing water. The request was made by the applicant for the release of the stormwater basin maintenance bond. It was recommended to contact the applicant and the Pinelands Commission to seek their input and assistance to try a few innovative type stormwater recharge measures at the site. Until we make that inquiry, we recommend holding off on the release of the project Maintenance Bond until an update could be provided at the October Council meeting.

18. Octagon Oil Site Town Hall Overflow Parking Lot (ARH #11-01000): - No Status Change

As Authorized, ARH will work with the Town's finance office to supply the required documents to the NJDEP that would provide for expenditure reimbursement of approximately \$59,074.00. Also, ARH will complete a subsequent funding application to the NJDEP to complete any remaining Remedial

Investigation work that would lead toward project close-out. We will keep Council informed of further progress.

19. **Skinner Building – Egg Harbor Road (ARH #11-01074): – No Status Change**
ARH completed/submitted the Preliminary Assessment (PA) Report in December 2012 and has conducted some additional sampling in connection with the ongoing Site Investigation (SI). As authorized by Council, we are preparing the application to the Hazardous Discharge Site Remediation Fund (HDSRF) which will be completed in early September to seek funds to complete work for the additional areas of concern (AOC) discovered at the site. Once the Town hears back from the NJDEP related to the request for funding, the various options for the site work remediation could be discussed with Council.
20. **Boyer Avenue Recreation Complex (ARH #11-75003):**
The Contractor is substantially complete. We are working with the Contractor to close out remaining items of work. As soon as complete we will assist with the requisition of funding.
21. **Celona Property – Railroad Ave/Pleasant St (ARH #11-01054): No Status Change**
The Solicitor should provide Council with an update related to the latest discussions with the NJDEP and the current owner of record regarding the hiring of an LSRP for the site.
22. **Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153): No Status Change**
As authorized last meeting, ARH will prepare an application to the NJDEP to seek funds to conduct a site environmental investigation at no cost to the Town. This application should be submitted to the NJDEP by mid-September.
23. **Drainage Projects: Anderson Avenue (ARH # 11-60208.02)**
We are finalizing the Design Plans for review with the PWTC and affected property owners where easements are necessary. The Phase I design for the project will include additional stormwater storage along Anderson Avenue between the low points. Funding for this work must be established. We did provide a copy of the construction estimate to Frank Zuber and Jerry Barberio for possible inclusion in the State, CDBG Program funding application.
24. **Chew Road/Jacobs Street/First Road (ARH # 11-60207.02)**
We are finalizing the Design Plans for review with the PWTC and affected property owners where easements are required. Legal descriptions for these easements have been prepared which will be slightly modified to fit the revised plans. We will forward them to the Solicitor so that he could prepare the deeds for signature and filing. We have modified the design plans to correspond to the County's comments. Funding for this work should be established. We did provide a copy of the construction estimate to Frank Zuber and Jerry Barberio for possible inclusion in the State, CDBG Program funding application.
25. **Solar Project at Former WWTP Site (ARH #11-01086):**
The Contractor is substantially complete. Our office issued a punch list, which currently remains outstanding.
26. **Safe Routes to Schools (11-01000):**
We forwarded a copy of the Resolution passed by Council and the Hammonton Public School Board to David Calderetti, the Transportation Management Associate (TMA) for this area. We will be meeting with David, appointed members of Council and the Public School System Representatives to discuss what would be the next logical step in the program on Wednesday, September 18th. We will update Council on progress made at that meeting.
27. **Westcott Tract, Third & Walmer Street (Block 3001, Lot 42) (ARH #11-01000):**

We received a phone call from Donna Plumber from the NJDEP inquiring about the Town's interest in the above noted parcel and included the following request for information:

1. Provide the latest owner of record for the parcel and contact information related to same.
2. Provide direction as to whether the Town still has an interest in the purchase of the property?
3. What investigative work has been completed to date related to the debris that was found within the property limits.

We will need to review information from our old project files and seek the assistance from the Solicitor and Finance Office related to other items for this property in order to properly respond. We will also need direction from Mayor and Council as to how to proceed.

28. Lake Weed Control, Permitting, Application of Product (ARH# 11-90016):

We were requested to provide a cost estimate and timeframe related to seeking approvals, permits, related tasks, etc. associated with applying product to control the weed growth in the Hammonton Lake. We have reviewed our files, made inquiries of the State, Pinelands Commission and a prior application related to the optimum timeframe for product application and the timeframe allotted to seek such approvals, bids, contracts, etc. It is felt that authorization to complete the permitting could start in January of 2014. Funds will need to be established in the 2014 municipal budget for completion of the required permits, filing fees, bid review, application costs and construction management. We will provide Council with this estimate so they can establish the funds in their 2014 budget.

SOLICITOR REPORT

Traditions at Blueberry Ridge Update

Hammonton Gardens Resolution/Ordinance for Street Vacation (addressed under Engineer Report)

#R120-2013 Terminate Contract Airport Hangar

RESOLUTION # 120-2013

RESOLUTION TERMINATING GROUND LEASE AND RELATED AGREEMENTS WITH HANGAR CORPORATION OF AMERICA

WHEREAS, the Town of Hammonton (Town) entered into a certain lease agreement dated February 24, 2012 with the Hangar Corporation of America (HCA) relating to construction of hangars at the Hammonton Airport ; and

WHEREAS, HCA has failed to demonstrate its ability to perform its obligations under said lease including, but not limited to, the delivery of completed hangar units; and

WHEREAS, the Town provided notice via certified mail, regular mail and e-mail dated August 9, 2013 to HCA's designated representative; and

WHEREAS, the green certified mail card confirms HCA's receipt of said notice on August 15, 2013; and

WHEREAS, no action has been taken by HCA to address its breach and specifically the deficiencies set forth in the aforesaid letter of August 9, 2013; and

WHEREAS, more than thirty (30) days has elapsed since HCA's receipt of said notice; and

WHEREAS, HCA's breach threatens to jeopardize the Town's relationship with the intended occupants of the hangars.

NOW THEREFORE IT IS ON THIS 23rd DAY OF September, 2013 resolved that:

1. The Solicitor is hereby directed to notify HCA by appropriate means that all of its rights set forth in the ground lease and related documents be and hereby are terminated.
2. The Solicitor is hereby authorized to take any and all action necessary to finalize the Town's relationship with HCA and, if warranted, pursue such action as is necessary to obtain reimbursement for any loss directly or indirectly related to HCA's breach as set forth above.

Motion by Councilperson Pullia, seconded by Councilperson Esposito, resolution #120-2013 is adopted and authorize the Town Solicitor to take necessary Emergency or Bid action concerning retaining State Helicopter at Airport.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Solar Project at Waste Water Plant

COAH

TIGG Contract

Authorization for Rescue Squad RFP

Motion by Councilperson Carpo, seconded by Councilperson Pullia, authorize the Solicitor to prepare and advertise RFP for Rescue Squad.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Revaluation

Police Dispatch-Amend SOP's (Under New Business)

Town Food – No Parking Ordinance (Under New Business)

Weymouth Road Interlocal Agreement with County (addressed under Engineer Report)

Animal Hoarding (Under New Business)

Route 54 Negotiations with Bond Company

St. Joseph Athletic Field (Wood Street) event guidelines & traffic/parking plan

Pine, Basin, Oak (seek okay to enforce connection compliance)

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize enforcement of water connection at Pine, Basin and Oak Project.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Recused

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

#R119-2013 Hammonton Rotary Club Oktoberfest Beer Festival

RESOLUTION # 119-2013

RESOLUTION AUTHORIZING AND ENDORSING
ROTARY CLUB OF HAMMONTON'S
FIRST ANNUAL HAMMONTON FALL BEER FESTIVAL

WHEREAS, the Rotary Club of Hammonton continues to support the Town of Hammonton in it's effort to promote local events; and

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Hammonton Fall Beer Festival scheduled to beheld on October 6, 2013 from 12:00-6:00 p.m. is acknowledged and endorsed with the following streets being closed:

Mt. Carmel Lane between Pratt and French Streets

BE IT FURTHER RESOLVED THAT the Town of Hammonton will provide police patrol and trash removal for this event; and

BE IT FURTHER RESOLVED THAT this approval is contingent upon the filing of an insurance certificate with the Town Clerk.

Motion by Councilperson Pullia, seconded by Councilperson Bachalis, resolution #119-2013 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.

MAYOR REPORT

Announce Freeholder Meeting Oct 8 at 4 pm to be held at Eagle Theatre Vine Street Hammonton

Advised on Ribbon Cutting Event at new Soccer Fields

Set Trick or Treat October 31, 6pm-8:30pm

Motion by Councilperson Pullia, seconded by Councilperson Carpo, set trick or treat October 31st from 6 pm – 8:30 pm.

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

NJ Best Practices Worksheet 0% State Aid Withheld

Motion by Councilperson Furgione, seconded by Councilperson Bachalis, authorize submission N.J. Best Practices worksheet.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Insurance Change – JIF to State Fund (Action taken earlier)

Authorize Enter Into Contract with Ocean City Home Bank

Motion by Councilperson Furgione, seconded by Councilperson Pullia, authorize transfer of Town of Hammonton accounts to Ocean City Home Bank.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito – Recused

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Coop/Cog – Complete and will be presented at October Council Meeting

Solar Field 100% Operational on 9/9/13

(Ribbon Cutting October 4, 2013 at 4:30 PM)

Airport Obstruction and Removal Grant – FAA

(Bond Ordinance and Capital Budget Amendment Resolution under New Business)

Bulky Week is Oct 7 – Oct 11

Brush Week is Oct 15 – Oct 18

Road Projects – Delays on Local Road

Request Council Committee – BOE Emergency Shelter Agreement

Mayor named Councilman Furgione, BOE Representative, as Head of Committee, Councilman Pullia, Fire Department Representative, Councilman Bachalis, one County Emergency Mgt Representative and one Atlanticare Representative to the Committee per Mr. Barberio's request.

TOWN CLERK REPORT

1. Authorize Advertise Municipal Court Administrator Position "Internal Posting"
2. Authorize Advertise Part-time Special Law Enforcement Officer (Authorized L&O Report)
3. Authorize waiver curb & sidewalk B1302, L22 - 376 S. 1st Rd.
4. Authorize disciplinary action 3 day fine, net pay, 3 pay periods, Dan Sulmonetti

Motion by Councilperson Esposito, seconded by Councilperson Furgione, approve Town Clerk Report items 1-4 (#2 authorized under Law & Order Report).

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 Bachalis, seconded by Councilperson Rodio, the September 2013 bill list and purchase orders are approved.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione – Yes (recused on Lafayette only)

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCE INTRODUCTIONS

Ordinance #022-2013 Amend Police SOP's

Ordinance #022-2013

AN ORDINANCE AMENDING Ordinance #026-2007
Entitled "POLICE DEPARTMENT RULES AND REGULATIONS "

WHEREAS, there is an inconsistency between Chapter 2:1.3 (7) Police SOP's and Chapter 35-1 (A, B and C);

WHEREAS, the Law and Order Committee of Council, the Police Chief and Business Administrator have reviewed the inconsistency and recommended the following amendment:

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Ordinance #026-2007 Section 2:1.3 entitled Authorized Strength item number (7) is amended as follows:

Telecommunication Operators staffing shall be consistent with Chapter 35-1 "Positions created".

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #023-2013 Amend Chapter 271 No Parking Cherry Street

Ordinance #023-2013

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Article II Section 6 entitled "Parking Prohibited at all Times on Certain Streets"

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-6 is amended follows:

Name of Road	Side	Location
Cherry Street	East	From S. Egg Harbor Road to a point 100 feet North thereof

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 Rodio, seconded by Councilperson Bachalis, 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 #024-2013 Amend Chapter 82 Animals

AN ORDINANCE AMENDING Chapter 82 of the Code of the Town of Hammonton Entitled Animals

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

Amend 82-12. Restraint of animals off animal facility premises or owner’s premises.

No dogs or other domestic animals, including, but not limited to, cats, kept in a kennel, pet shop, shelter or pound shall be permitted off such premises or off of the premises of a private residential owner except on a leash or in a crate or other safe form of control.

Add 82-21(a) Control of animals causing property damage or nuisance.

It shall be unlawful for any person to feed or harbor a stray dog or domestic animal including, but not limited to, cats, without assuming full ownership of same and subsequently, complying with all provisions of the Town’s Animal Ordinance including, but not limited to, acquiring a rabies vaccination and license. In the event of a complaint filed against an individual feeding or harboring stray animals under this subsection, presentation of proof of a rabies vaccination and license shall be a defense to that complaint.

Add 82-23 (NEW) Limitation on number of domestic dogs or other animals

It shall be unlawful for any person to maintain upon any premises a number of domestic animals including, but not limited to, dogs and cats, in excess of that which he/she has the ability to manage in a humane, safe and healthful environment. It shall be the responsibility of the Animal Control Officer to make a determination whether the number of such animals exceeds that limit and, if so, to issue a

warning directing that if the number of animals is not reduced to a limit which meets that standard, a citation under this Ordinance shall issue.

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 Bachalis, 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.

Ordinance #025-2013 Bond Ordinance FAA Grant

Ordinance #025-2013

BOND ORDINANCE PROVIDING FOR THE MUNICIPAL AIRPORT STUDY AND IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$226,642.85 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$22,665.85 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$226,642.85, including the sum of \$203,977.00 expected to be received as a Federal Aviation Administration grant. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) since this ordinance involves a project funded with grant funds from the Federal Aviation Administration as described herein.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$22,665.85 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the Phase II planning, support and coordination study and removal of obstructions from municipal airport, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$22,665.85, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$46,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of

holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilperson Rodio, 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.

RESOLUTIONS

#R114-2013 Renew Special Ruling Liquor License

R#114-2013

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSE(S)
FOR THE 2013-14 and the 2014-15 LICENSE TERM(S)

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

WHEREAS, NJ ABC has reviewed said license(s) and determined that the licensee has established good cause in accordance with N.J.S.A. 33:1-12.39 and has granted the licensee a Special Ruling for renewal of 2013-14 and 2014-15 license term(s);

WHEREAS, NJ ABC has required the Town of Hammonton to place a special condition on this renewal that no further renewals shall be granted unless the license is being actively used at an approved site on or before June 30, 2015, except if good cause for reconsideration is shown.

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

specifically determined and declared that the following named person(s) and corporation, if any, be and they are hereby adjudged to be entitled to a license of the class hereinafter specified:

0113 33 018 008 GB Liquors LLC
 t/a same
 Location: pocket

BE IT FURTHER RESOLVED, the approval granted herein is conditional, and is based upon the representations set forth in the petitions notarized letter.

#R115-2013 Approve Tax Account Amendments

#R115-2013

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved and made amendments to utility and/or tax accounts as follows:

B&L	NAME	ADDRESS	AMOUNT	ACCT	REASON	PER
4601-5	Mortellite	66 Basin	1,158.89	Tax	Refund Republic Bk pd in error	Rosie
2416-11	The Salt & Light Co	236 N Washington	2,758.70	Tax	Refund RCS/Tax Exempt	Rosie

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Tax Collector's actions are approved.

#R115A-2013 Authorize Halloween Parade And Road Closure

RESOLUTION #115A- 2013

RESOLUTION AUTHORIZING AND ENDORSING
 KIWANIS CLUB HALLOWEEN PARADE

WHEREAS, Kiwanis Club of Hammonton 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 Kiwanis Club of Hammonton; and

WHEREAS, October 23, 2013 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 24, 2013);

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Kiwanis Club Halloween Parade is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road from Rt. 54 to Fairview Avenue from 6:00 – 7:00 pm
 Rt. 54 (Bellevue) from N. Egg Harbor Road to Third St. from 7:00 – 9:00 pm

#R116-2013 Authorize Christmas Parade and Road Closure

RESOLUTION # 116-2013

RESOLUTION AUTHORIZING AND ENDORSING
FIREMEN'S CHRISTMAS PARADE

WHEREAS, the Hammonton Fire Department continues to support the Town of Hammonton in it's effort to promote events such as the Christmas Parade which is scheduled for December 14, 2013 (rain date December 15, 2013) @ the hour of 7:00 p.m.;

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Annual Hammonton Firemen's Christmas Parade is acknowledged and endorsed with the following streets being closed:

- Route 54 (from WPH to Front Street) from 5:00 to 9:00 pm
- Central Avenue (from Bellevue to Vine) from 5:00 to 9:00 pm
- All Road openings onto Bellevue Avenue (from WHP to Front Street) be closed during event at 7:00 pm
- Passmore Avenue (from Egg Harbor Road to Washington Street) from 7:00 to 10:00 pm
- Front Street (from Bellevue to Line Street) from 7:00 to 11:00 pm
- Liberty Street (from Bellevue Ave to Fairview Ave) from 5:00 to 8:00 pm

#R117-2013 Amend Capital Budget to Accept FAA Grant

Resolution #117-2013
TOWN OF HAMMONTON
CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2013 was adopted on the 28th day of May, 2013; and

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

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

Water/Sewer Utility Capital Fund

<u>Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>	<u>Grant</u>
Municipal Airport Study and Improvements (1) <i>Federal Aviation Administration Grant</i>	\$ <u>226,642.85</u>	\$ <u>22,665.85</u>	\$ <u>203,977.00</u> (1)

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

Motion by Councilperson Bachalis, seconded by Councilperson Carpo, resolutions 114-117 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

Gene Gullo

Mr. Gullo questioned why sidewalk at the location of his store on the corner of Egg Harbor Road and Bellevue Avenue was not replaced with the rest of the project.

Mr. Vettese stated the grant did not include Egg Harbor Road sidewalk replacement. However, he is currently looking into same.

Mark Santora

Mr. Santora stated he is opposed to the remediation plan for Pulte drainage basin and posed questions to Mayor and Council concerning same.

Councilman Pullia requested Mr. Barberio, PWM/BA, to investigate the sidewalks that Mr. Santora is concerned with and report back to council.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk