

Minutes Regular Meeting of Mayor and Council – May 28, 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

#R057-2013 Executive Session

#R057-2013

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. Administration Department Staffing
2. Municipal Court Staffing
3. Tax Appeals
4. Highway Garage Tank Removal 1994 and 1999
5. Paradise Lakes
6. Getty Litigation

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

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

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

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

Moment of Silence

Mayor DiDonato asked for a Moment of Silence for Mark Goodwin who recently passed away.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Executive Session – April 22, 2013

Regular Meeting – April 22, 2013 (with correction: *Ordinance #9-2013 “Cap Ordinance” passed introduction at 4/22 Council Meeting, not defeated*)

Motion by Councilperson Esposito, seconded by Councilperson Rodio, the minutes are approved as recorded by the Clerk with correction.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. NJ DEP Water Conservation Presentation

Ms. Katie Barnett of NJ DEP gave a power point presentation concerning water conservation which included environmental factors, availability, societal factors which influence the way people value the worth of water. Ms. Barnett advised that New Jersey is vulnerable to water supply shortages. She advised on the increase of water use in New Jersey as well. She reviewed specifics for Hammonton's water usage including permit conditions. She advised that NJ DEP imposed an ordinance for water conservation and water rate increase on Hammonton. She advised of several ways to get the idea of water conservation to the public which included joining a free organization EPA.gov/watersense.

Mr. Robert Dobson of Middletown Sprinkler, an irrigation contractor who is also a water conservationist gave a power point presentation on several ways to conserve water. He advised of a study that proved that 50% of water applied to landscape is not necessary which means that water users can be saving 50% on their water bill by practicing some conservation techniques. He advised on Evapotranspiration rates which help to determine how much water is needed on any particular day and advised this information can be found at <http://climate.rutgers.edu>. He also advised on ways to conserve water which included installation of a Smart Controllers on water sprinklers.

Mayor DiDonato advised he'd like to seek a grant for the meter charge on water bills to alleviate the water user of this fee as well as reading water meters monthly in order to enhance conservation and save money.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, eliminate water meter charge effective November 2013 meter reading and look into reading meters monthly in the near future.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carmo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

1a. Presentation – Mayor of Plumsted Township, New Jersey

Mayor Dave Leutwyler of Plumsted Township, New Jersey, gave a presentation on energy aggregation which has proven to be a significant cost savings to the residents of Plumsted. He introduced Ms. Susen Cohen of Atlantic City Electric who is involved with aggregation. Energy Users will be given the option to "opt out" if they do not want to participate. However, if an Energy User is already in a contract with a third party supplier, they will become part of the aggregation when their current contract expires. For electric problems, users would still contact Atlantic City Electric. He advised those users with initial reservations concerning the program, are now very satisfied with the savings. Plumsted realized a 15% savings on electric supply. Budget billing may continue on the aggregation plan. Commercial properties would have to "opt in".

1b. #R058-2013 School Resource Officer Agreement

RESOLUTION #058-2013

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT
WITH HAMMONTON BOARD OF EDUCATION

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

WHEREAS, the Town of Hammonton has agreed to provide School Resource Officer(s) to Hammonton Board of Education for school year 2013-2014 in the amount of \$164,645.60.

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

1. The Agreement which is annexed hereto and made a part hereof with Hammonton Board of Education is approved.
2. That the Mayor and Municipal Clerk are hereby authorized to execute said agreement.

Motion by Councilperson Furgione, seconded by Councilperson Bachalis, resolution 58 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.

2. Ordinance #009-2013 Authorize Exceedance of Budget Appropriations & Est. Cap Bank

Ordinance #009-2013
TOWN OF HAMMONTON
COUNTY OF ATLANTIC
CALENDAR YEAR 2013

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Town Council of the Town of Hammonton in the County of Atlantic finds it advisable to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Town Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$133,833.09 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Town Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Town Council of the Town of Hammonton, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Town of Hammonton shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$312,277.22, and that the CY 2013 municipal budget for the Town of Hammonton be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion by Councilperson Esposito, seconded by Councilperson Rodio, ordinance 9 is taken up for second reading and public hearing. Motion carried.

Councilman Pullia questioned how long has the cap ordinance existed and has Hammonton always approved same?

Mr. Rob Scharle, CFO, advised the Cap Ordinance has been available since 1977 when appropriation caps were implemented and Hammonton has adopted the cap ordinance during some years but not all of them.

Councilman Furgione requested Mr. Scharle to explain the cap ordinance.

Mr. Scharle advised the cap ordinance allows the governing body to raise appropriations above the appropriation cap over a 2 year period, only if necessary, in this case it would be available to the 2014/2015 budget years.

Councilman Bachalis questioned does the cap ordinance allow for an increase beyond current limits for any reason?

Mayor DiDonato advised yes.

Motion by Councilperson Esposito, seconded by Councilperson Rodio, the hearing on ordinance 9 is closed, the ordinance passed second reading and is adopted.

ROLL CALL

Councilpersons:

Bachalis - No

Carpo - No

Esposito - No

Furgione - No

Pullia - No

Rodio - No

Mayor DiDonato - No

Mayor DiDonato declared the motion defeated.

3. Ordinance #010-2013 Authorize Special Emergency to Prepare Tax Map

ORDINANCE #010- 2013

AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO *N.J.S.A. 40A: 4-53* FOR THE PURPOSE OF PREPARATION OF AN APPROVED TAX MAP

BE IT ORDAINED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic and State of New Jersey, that pursuant to *N.J.S.A. 40A:4-53* (ch.48, P.L. 1956 as amended by Ch.144, P.L. 1965 and Ch.38, P.L. 1969), the sum of Seventy Five Thousand Dollars (\$75,000.00) is hereby appropriated for the preparation of an approved tax map and shall be deemed a special emergency appropriation as defined and provided for in *N.J.S.A. 40A:4-55*.

The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth (1/5th) of the amount authorized pursuant to this act (*N.J.S.A. 40A:4-55*).

Motion by Councilperson Pullia, seconded by Councilperson Carpo, ordinance 10 is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Carpo, the hearing on ordinance 10 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.

4. #R060-2013 Authorize Special Emergency to Prepare Tax Map

RESOLUTION NO. 060-2013

RESOLUTION TO APPROVE A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-54 FOR THE PURPOSE OF PREPARATION OF AN APPROVED TAX MAP

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses to be incurred, by the preparation of an approved tax map and,

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for the Preparation of an Approved Tax Map in the total amount of \$75,000.
2. That the special emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$15,000.
3. No special emergency notes will not be issued for this special emergency.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Government Services; however, no approval is required from the Division.

Motion by Councilperson Furgione, seconded by Councilperson Esposito, resolution 60 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. Public Hearing on 2013 Municipal Budget

Motion by Councilperson Bachalis, seconded by Councilperson Rodio, the 2013 Budget Hearing is now open to the public. Motion carried.

#R059-2013

A RESOLUTION ADOPTING THE 2013 TOWN OF HAMMONTON BUDGET

Be It Resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$7,639,340.25 (Item 2 below) for municipal purposes, and
- (b) None (Item 3 below) for school purposes in Type I School Districts only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c) None (Item 4 below) to be added to the Certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of General revenues and appropriations.
- (d) None (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) None (Item 5 Below) Minimum Library Levy

1. General Revenues		
Surplus Anticipated	08-100	\$ 1,254,000.00
Misc. Revenues Anticipated	40004-10	\$ 2,541,415.27
Receipts from Delinquent Taxes	15-499	\$ 26,184.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6 (a), Sheet 11)		
	07-190	\$ 7,639,340.25
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6, Sheet 42		
	07-195	0.00
Item 6 (b), Sheet 11 (N.J.S.40A:4-14	07-191	0.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		0.00
4. TO BE ADDED TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:		
Item 6 (b), Sheet 11 (N.J.S.40A:4-14)	07-191	0.00
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		
	07-192	0.00
Total Revenues	40000-10	\$11,460,939.52
6. GENERAL APPROPRIATIONS:		
Within "CAPS"		
(a&b) Operations Including Contingent		\$ 7,806,584.72
(e) Deferred Charges and Statutory Expenditures – Municipal		\$ 929,725.00
(g) Cash Deficit		0.00
Excluded from "CAPS"		
(a) Operations – Total Operations Excluded From "CAPS"		\$ 115,949.59

(c) Capital Improvements	\$ 0.00
(d) Municipal Debt Service	\$ 1,650,000.00
(e) Deferred Charges – Municipal	24,000.00
(f) Judgements	0.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.40:48-17.1 & 17.3)	0.00
(g) Cash Deficit	0.00
(k) For Local District School Purposes	0.00
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	\$ 934,180.21
7. SCHOOL APPROPRIATIONS-TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	0.00
Total Appropriations	\$11,460,939.52

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 28th day of May, 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

No one desired to be heard.

Motion by Councilperson Esposito, seconded by Councilperson Rodio, the 2013 Budget Hearing is closed and the budget is adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - No

Esposito - Yes

Furgione - No

Pullia - No

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

6. Ordinance #007-2013 Amend Chapter 211 Property Maintenance

Ordinance #007-2013

An Ordinance Amending Chapter 211, Article II, Sections 11 and 12 and adding Section 13 of the Code of the Town of Hammonton Entitled "Property Maintenance"
BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the following amendments be made to Chapter 211, Article II, Sections 11 and 12 with the addition of Section 13:

Add to Section 211-11 C. Enforcement

The Construction Code Official or his designee and all authorized members of their department shall direct those actions necessary to cause the violation to be terminated and abated. The actual cost of such termination, which shall include the cost for terminating and abating the violation, obtaining title information, advertising and recording any liens imposed hereunder, shall constitute a lien on the property in accordance with Section 211-13.

Add to Section 211-12 D.

It shall be unlawful for any person to oppose, obstruct or resist any Town of Hammonton Building Official / Code Enforcement Official in the discharge of his or her duties as provided in this article.

Add to Section 211-12 E.

Any Town of Hammonton/ Code Enforcement Official shall be immune from prosecution, whether civilly or criminally, as the result of any reasonable, good faith trespass upon property while in the discharge of duties imposed by this section.

Add Section 211-13. Liens

A. A copy of the request for payment of the cost of abating a violation(s) shall be served on the violator at his or her last known address and the violator shall have fifteen (15) days from the receipt of the request within which to pay all costs described in the request. Service of the request for payment may be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified or first class mail addressed to the last known address; or
3. If the notice is returned showing the letter was not delivered, a copy posted in a conspicuous place in or about the property or structure affected by such notice.

In the event a violator fails or refuses to pay all costs incurred by the town that are associated with terminating or abating a violation, such costs will be imposed as a lien against the subject real property.

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

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

Motion by Councilperson Furgione, seconded by Councilperson Bachalis, ordinance 7 is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Furgione, seconded by Councilperson Bachalis, the hearing on ordinance 7 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.

8. Ordinance #008-2013 Amend Chapter 211 to include 2012 Int'l Property Maintenance Code
Ordinance #008-2013

AN ORDINANCE AMENDING ARTICLE I, SECTION 211-1 (A), (B) AND (C) OF THE CODE OF THE TOWN OF HAMMONTON AND TO INCLUDE THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE

BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic, New Jersey, that Article I, Section 211-1 (A), (B) and (C) is amended as follows:

Section 211-1. Adoption of standards.

A. A certain document, three copies of which are on file in the Office of the Building Official/Code Enforcement Officer, being marked and designated as International Property Maintenance Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance code of the Town of Hammonton in the State of New Jersey for regulating and governing the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as therein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Hammonton Construction Code Official, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in Section C of this ordinance.

B. (Amend as follows) This article shall be considered cumulative and not superseding or subject to any other law or provision for same, but shall rather be an additional remedy available to the town above and beyond any other state, county and/or local provisions for same.

C. Table 404.5 Minimum Area Requirements Table is amended as follows:

<u>Space</u>	<u>1 occupant</u>	<u>2 or more occupants</u>
Bedrooms	70 square feet	Additional 50 sq. feet per occupant*

*No more than 4 occupants per any bedroom.

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

BE IT FURTHER RESOLVED that this Ordinance shall take effect immediately upon passage and publication according to law.

Motion by Councilperson Carpo, seconded by Councilperson Pullia, ordinance 8 is taken up for second reading and public hearing. Motion carried.

No one desired to be heard.

Motion by Councilperson Carpo, seconded by Councilperson Pullia, the hearing on ordinance 8 is closed, the ordinance passed second reading and is adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes

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

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Administration -Councilperson Esposito

Report on Adm Comm Mtg 5/23 and 5/28/13

Business & Industry-Councilperson Esposito

Report on Cruisin Main Street Event
Welcomed new businesses

Education-Councilperson Furgione

Report on SRO agreement
Report on Stockton event and noise museum
Report on Historical Society-Hammonton Photographs and Hosting Tunes Once per Month
Report on Board of Education matters (graduations, test scores, retirements)
Report on group trip to Sicily to a town which is named after Hammonton

Public Works & Transportation-Councilperson Rodio

Defer action items to PWM and Engineer

Quality of Life – Councilperson Bachalis

NJ DCA visit to Canoe Club to educate seniors on credit card theft
Eagle Theatre and Green Committee film presentation concerning negative portrayals of women in society
Report on Environmental Commission grant
Defer intern interviews to BA report
Installed NJ Birding and Wildlife Trail trailhead marker at park
ANJEC initiative aimed at protecting sensitive habitats throughout southern NJ
Town Clock is once again running and looking into upgrades

Water & Sewer – Councilperson Pullia

Defer action items to Engineer report
Updated on water and sewer projects
Update on NJ DEP deadlines
Report on grant application
Annual water quality report and update on public water will be sent out with water bills
Invited Mike Ott, Assistant Water Superintendent, to give report on water test results
Water results can be viewed on townofhammonton.org (ND means non-detected)
Report on solar project

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

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

Radium at Well #5/#7:

Building Construction:

As reported last month, this project is fully completed with the exception of minor punch list items.

As in the case of the Northwest Hammonton Water Project, ARH's construction management contract was not intended to cover the administrative aspects associated with this project including, but not limited to, the coordination with the NJEIT Program. The following tasks were performed over the seven (7) month course of this project.

- Assistance on creating the applicable funding ordinances.
- Prepare for and provide presentation at the special public meetings associated with this project.
- NJEIT process and coordination/funding scenarios including emails, meetings, phone conversations, reports, correspondence, etc.
- ACO Progress Reports.
- Initiate and procure the interim financing to obtain the necessary cash flow for this project.
- Assist Finance Office in setting up wire transfer process.
- Assist Finance Office in preparing and submitting requisitions to NJEIT.
- Resident inquiries.
- Public relations.
- Overall coordination.

In discussing the matter with PWTC, they have agreed to allow the NJEIT budget associated with administrative tasks to cover the administrative services performed by ARH over the past 7 months and to effectuate close out. In so doing, an increase of \$25,000.00 to the ARH construction management PO (#12-00837) will amend the ARH contract from \$53,400.00 to \$78,400.00. This action in effect will replenish the engineering services expenditure plus allow for NJEIT closeout of this project. With the coverage of administrative services by the Engineering staff, the line item for administration in the NJEIT budget will still have a balance of approximately \$27,000.00. Additionally, the contingency line item in the NJEIT budget has approximately \$80,000.00 unencumbered.

Well #4 Radium Treatment Facility and Air Stripper:

The report filed last meeting remains unchanged except for receiving a response letter from NJDEP regarding the submission for approval. They could not start their review until the Pinelands has issued a Certificate of Filing which did occur during the past month.

Repeat of last month's report is as follows:

Well #4 remains off-line since Well #1 and now Wells #3, and #5/#7 has been meeting the demand during the non-peak season. It remains the intent not to return Well #4 to service unless there is an emergency. The Town will proceed through the summer using Wells #5/#7, Well #1 and/or Well #3.

The loan application for Well #4 was submitted to NJEIT on March 1, 2013. Plans and specifications were submitted on April 1, 2013 to NJDEP and NJEIT. The ACO requires the Town to submit a design plan to the NJDEP by October 1, 2013. As a reminder, a separate NJEIT application will include the installation of a SCADA system and a comprehensive meter replacement program employing the use of radio frequency type meters.

Licensed Operator:

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

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

Wells #1 and #3 are able to be run to the onsite treatment units due to the preemptive actions by Council to install yard piping that would enable Well #3 to be run through the Well #1 system that was installed late 2012. The Council believed that an exceedence of EDB at Well #3 was inevitable and hence they were correct.

With the test results indicating that contamination of EDB is prevalent at the site, a decision regarding permanently rehabilitating Wells #1 and #3 or to abandon the facility by locating and drilling a new replacement well at another site must be considered. This discussion was conducted with the premise that if the site of the two existing Wells is abandoned for that of another site, there still would be a need for a second new well to address the firm source capacity shortfall. The initial mission to locate a new source was delayed by the presence of radium at Wells #5/#7, Well #4 and by the presence of EDB at Wells #1 and #3.

Wells #1 and #3 are permitted to operate concurrently and have a combined capacity of 1600 gpm. Therefore, at present, their capacity is essential to the firm source capacity calculation for the Town. A report on the advantages and disadvantages was presented to the PWTC and it was the collective conclusion to pursue remediation of the Wells #1 and #3. As such, we will prepare a proposal for the components required in accomplishing this objective. However, in the interim we will be evaluating the ability to meet the summer peak demand with operating Wells #1 and/or Well #3 along with the return of Wells #5/#7. The concurrent use of Wells #1 and #3, albeit permitted to operate as such is constrained by the limitations of the treatment unit and further constrained by Well #1's need for a higher performance pump and motor. The immediate evaluation for the summer peak is as follows:

1. With the capability of the existing system, can the summer peak be met without any modifications?
2. Can a pump and motor change out at Well #1 be performed in time to even make the pursuit of a temporary and added treatment system at the Lincoln Street site before the summer peak season is in effect.

As a reminder the temporary accommodations and possibly even the pump and motor upgrade can be funded by NJDEP – Damage Claim similar to the activity at Well #1. Well #1 needs to be redeveloped and it is always prudent to do so when the well is down for motor and pump enhancements. However, due to time constraints, the redevelopment aspect may need to be postponed to a non-peak timeframe.

Prior to the night of the meeting we will be meeting with Utility Department staff to review the alternatives. Our upcoming proposal will outline the temporary provisions as well as conversion to a permanent operation, including application for funds regarding the activity.

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 February 28, 2015
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – Feb 28, 2015
- ~ Well #1 VOC Removal – (COMPLETED)

Motion by Councilperson Pullia, seconded by Councilperson Bachalis, amend the ARH construction management PO #12-00837 by \$25,000.00 thus increasing the total from \$53,400.00 to \$78,400.00 to provide reimbursement for the administrative services noted above and provide for project closeout.

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

2. Weymouth Road Drainage (P2013-0227):

We met with representatives from the Atlantic County Engineer's Office as related to drainage and roadway improvements along a portion of Weymouth Road, CR # 640 extending between Reading Avenue and First Road. The County expressed the possibility of entering into an Interlocal Services Agreement with the Town to have the Town Engineer's office complete the survey, design, permitting and possible construction management for this work. The Interlocal Services Agreement would be similar to the Agreement executed between the Town and County for the work completed on Central Avenue some years ago. The County would be responsible for the costs associated with the work, the details of which would be spelled out in the Agreement. We have gathered existing information together in order to develop a rough project cost estimate to complete the various phases of work plus provide a construction cost estimate for budgeting purposes. We have also prepared a proposal (copy attached) for Council's consideration that would include the survey work, initial and final design plans, easement preparation, permitting, cost estimates, etc. required before the project could be bid or set up for construction by County forces. Once the proposed is approved by the Mayor and Council, it will need to be forwarded to the County for their approval so that an Interlocal Services Agreement could be formulated, executed and authorization to proceed could then occur.

Motion by Councilperson Furgione, seconded by Councilperson Esposito, approve ARH proposal subject to approval by the County who will be funding same.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Recused

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

3. Octagon Oil Site Town Hall Overflow Parking Lot (ARH #11-01000):

We received notice from the NJDEP-HDSRF that they are now in position to approve the \$59,074.00 grant application that was made to seek reimbursement of funds expended by the Town associated with the remedial investigative work completed at the site. If satisfactory with the Mayor and Council, ARH will complete the following tasks at no cost to the Town:

Gather information related to prior invoicing paid by the Town related to the site remedial investigative effort and work with the Town's Financial staff to seek reimbursement of the monies expended up to the \$59,074.00 allotment requested in 2009.

Complete a new application for NJDEP-HDSRF funding to complete the remaining remedial investigative work at the site that would ultimately lead to project close-out.

Motion by Councilperson Esposito, seconded by Councilperson Bachalis,

1. Authorize ARH to work with the Town's finance office to supply the required documents to the NJDEP that would provide for expenditure reimbursement at no cost to the Town.
2. Authorize ARH to complete a subsequent funding application to the NJDEP to complete any remaining RI work that would lead toward project close-out at no cost to the Town.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Add on Item

Safe Routes to Schools Grants

Upon Mr. Bob Vettese's recommendation, Mayor DiDonato designated Councilmen Dan Bachalis and Steve Furgione as Municipal Representatives for Safe Routes to Schools Grant acquisition.

SEWER & WATER INFORMATION ITEMS:

4. 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 contractor is in the process of completing the punch list items in preparation for final close out. We expect to have the items completed by the next meeting and shortly thereafter close out with NJEIT.

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

There are approximately 30 homes that must connect under the project. Helmer has fully connected all but one of the connections at this writing. The one remaining connection is yet unresolved at this writing.

Contract #3 – Well Sealing (Steffen Well Drilling)

The report remains unchanged with the exception that we believe that this month Steffen will commence sealing wells that have not applied for a farm waiver exemption.

As previously reported, the well sealing work has not yet started awaiting the completion of Contract #2. Several residents have applied for a farm use waiver to allow them to retain their wells. The applications have been received by the NJDEP and they will be performing site visits to determine whether the individuals requesting do in fact qualify. This past week the residents applying for farm waivers have received correspondence from NJDEP requesting additional information. The residents were asked to provide additional information to the NJDEP. We will follow-up with the residents to see if they will be further pursuing the waiver. The outcome of these site visits will affect Contract #3.

General Issues

Funding Status:

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

Connection by Non-CKE Residents:

Non status change from last month:

A letter dated February 5, 2013 was issued to these residents inviting their participation. We have had no feedback as to whether the letter has had any impact.

Summary of Last Month's Activity/Pending Items:

- Complete Contract #2.
- Initiate Contract #3.
- Resolve the one remaining connection issue remaining under Contract #2.
- Present a final quantities estimate for consideration of optional change orders.

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

On May 16, 2013, Ray Ferrara, Anthony DeCicco and Joe Pantalone met with the Pinelands staff in New Lisbon in pursuit of assuring that the goals of the December 10, 2013 requirement set forth by the Pinelands are met. In attendance on behalf of the Pinelands were Nancy Wittenberg, Stacy Roth, Esq., Ed Wengrowski and Ernie Deman.

An update was provided on the status of the drip irrigation permit process since all agreed that the implementation of the drip component will determine whether the Town can more consistently reduce reliance on stream discharge for the current flow as well as being the mechanism to allow for additional growth in the Town. It was also stated by us that we remain optimistic that drip irrigation will demonstrate a significant positive impact on maximizing discharge to Boyer Avenue. It was cautioned that the site is considered a "bathtub" and as such the ability to convey flow from whatever methods may be finite. The success of drip irrigation is also dependent upon vegetation uptake. In short, the impact will not be realized until the system is installed, operating and its results measured.

The Pinelands was not aware of the date of filing of the NJDEP application for a permit modification and had assumed that the Town was not working diligently toward that end. After much dialogue on the "whys and wherefores" regarding the current status, the record was made clear that an application for a permit modification was hand delivered to NJDEP on February 22, 2013. Additionally, several documented attempts to obtain a report on the permit modification review were made. The current response from NJDEP is that since the Discharge to Groundwater Permit is up for renewal, the drip irrigation request would be combined into the renewal activity. The concern with the NJDEP response is that there is no "clock" for the NJDEP to review.

Also during the discussion with Pinelands, the upcoming presentation to be made to the public regarding the public's negative perception of the children playing on soccer fields that will be irrigated with "wastewater" was discussed. The Pinelands were concerned that the Town would forego the use of the soccer field areas as a drip option which would minimize the goal to only discharge to the stream under mitigating and "nature" created circumstances such as the nor'easters and hurricane events that affected the Town's ability to handle the flow consistently at Boyer Avenue. We advised that the outcome of the public session will have an influence on the Town's decision to pursue drip over the recreational side of the complex.

Much discussion ensued about the benefits of the use of treated wastewater for irrigation, the fact that other states use this procedure routinely; Disney World is a leader in this type of method, etc.

Next the focus of discussion was on the performance of the discharge effort over the time. The data was being analyzed which is essentially the last 3.5 years since max loading of the trenches commenced. The MOU which the Town is operating under sets forth a requirement to send an average daily flow of 807,000 gpd to Boyer Avenue. It was demonstrated this threshold has not occurred consistently. One of the measuring possibilities was to use a 3 month average. Compliance is not achieved under that measuring stick nor is it at a 12 month average. Interestingly enough however, over the 3.5 year analytical period, the average is approximately 800,000 gpd, very close to the somewhat arbitrary goal that was established by the Pinelands.

Ray Farrera was emphatic that there is no trend, seasonal or otherwise that can explain when full flow can be delivered to the Boyer Avenue site and when it cannot. Nevertheless, there is a direct correlation when there were major storm events resulting in failure to meet the 807,000 gpd discharge threshold to Boyer Avenue and for periods following such events. The point is that it is unpredictable and that the 807,000 gpd discharge requirement needs to be rethought.

Much discussion and debate followed regarding the ultimate fate of this issue. Simply put, the Pinelands regulations do not allow discharge to a Pinelands receiving water under any circumstance since it changes the flora and fauna of the stream from its natural or indigenous state before the discharge was in existence. To stay in the stream under any condition will require the Commission to waive their own regulations which will be strongly scrutinized and most likely vehemently opposed by the environmental groups that serve as the watch dogs over any Pinelands decision.

As all in the room recognized and agreed, Hammonton will always need to rely in some form on stream discharge and the less routine that reliance will be, the easier it will be for the Commission to grant a waiver. That said there will be an "offset" requirement. The offset will have to be of a nature that it addresses some type of advancement to the treatment experienced at the existing plant. We were adamant that the Town should not be placed in a position to sign a blank check to appease the environmentalists with some type of offset to retain the ability to grow. It was then that Ray Ferrara went down the list of parameters and demonstrated the remarkable level of treatment that the plant, through the finesse of its operator, achieves on a daily basis. He challenged any hired consultant that the Pinelands would bring onto the scene to discover what can be done to better the existing treatment process. The one area that there is a possible ability to improve upon is a reduction of phosphorus levels. However, even if addressing the phosphorus levels, it will not have much of an influence on the stream. Ed Wengrowski then reported his visual observations in the stream and noted that the vegetation foreign to a Pinelands' pure water body is heavily present only in the vicinity of the plant's outfall and downstream of same. Therefore, he concluded that despite the level of advanced treatment, the discharge has changed the stream from its natural state. Consequently, the discussion circles back to the fact that the discharge of this plant is not harmful; rather the discharge changes the stream from its virgin state and hence is not permitted by their regulations. Once again, the ability to stay in the stream will require a waiver as voted on by the Commission and any waiver will most likely be coupled with a Memorandum of Understanding (MOU) of some action the Town will be required to implement; aka some agreed upon "offset".

As usual, the debate was often heated and parochial. The summary of action items stemming from the meeting were as follows:

1. Joe Pantalone to furnish to the Pinelands the submission information made to NJDEP for a permit modification to allow drip irrigation including the email exchanges seeking status updates from NJDEP.
2. Nancy Wittenberg will call the NJDEP Deputy Commissioner to indicate the importance of not delaying the review of the NJDEP review on drip irrigation.
3. ARH will respond to the stormwater management issues raised by Pinelands when they reviewed the drip irrigation aspect under the submission for the recreational fields proposing to use drip as the source of irrigation for the grass playing fields.
4. ARH will submit a public developmental application to Pinelands for the drip irrigation component related to the forested area of the site. A developmental application is needed along with newspaper notice and a 200' property owner notice since the grubbing operation to facilitate the overland drip line installation will create a disturbance. The goal is to produce the proof of notice and advertisement by June 3, 2013 so that Pinelands can place discussion of same on their June 14, 2013 agenda with possible approval at their July 12, 2013 meeting.
5. The Town will conduct their public information session and advise the Pinelands of the outcome.
6. It was agreed that the drip irrigation project will not be in place prior to December 2013, but a plan for achieving same must be.

7. In anticipation of the December 10, 2013 reporting deadline, the Town will prepare an outline of activities associated with obtaining approval for the drip irrigation project with specific scheduling dates for installation and operation. Additionally, thought will be provided for a reasonable timeframe for measuring the impact of the drip component along with what possible offsets that could be installed to enhance the treatment if a Pinelands waiver is to be granted under a MOU.
8. It was further determined that the proposed consultant that was preliminary discussed by the Pinelands to evaluate Hammonton's plan/submission and timeframe would not be warranted at this time and therefore no financial commitment is expected from the Town at this point for the consultant.

It originally was the intent to conduct the public information session for Drip Irrigation at this month's Council meeting, but additional time is needed to prepare a comprehensive report that will hopefully provide the public with the information they are seeking. In discussion with the PWTC the public information meeting will be scheduled for the next regular Council meeting of June 24th.

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

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

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

As authorized last meeting, we contacted Lorraine M. Myzak from Great Blue Lake & Pond Management to complete the survey of the Hammonton Lake to identify the aquatic vegetation present. The survey was conducted on May 13th. Attached is a copy of the report dated 5/19/13 for Council's consideration. The Council, in conjunction with the Lake Water Quality Committee, should review the report and determine what action to pursue as the next step in the process to preserve the Lake's water quality.

8. Skinner Building – Egg Harbor Road (ARH #11-01074):

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 last Council meeting, we are preparing the application to the Hazardous Discharge Site Remediation Fund (HDSRF) 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 regarding various options the site could be discussed with Council.

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

We have been working on the tax map rectification items in order to comply with the State Division of Taxation comments since the Town's authorization to proceed. We have completed the spatial framework for the entire Town and have adjusted approximately ½ of the tax map sheets. We will continue with the process of rectifying the maps spatially and addressing the State's comments as authorized by Council. We will keep Council updated related to any resubmission to the State. The Solicitor will also need to update the Court on the status of progress as related to the agreed upon schedule.

10. 2012 Roadway/Drainage Projects (ARH #11-40045 & 46):

We completed the conceptual design plans for the project roadways. The application to the NJEIT for funding consideration as authorized by Council totaling over 5.5 million dollars was submitted in conjunction with the design plans and specifications. We should hear something from NJEIT within the next few months related to this funding request and their comments on the design packet submitted.

We met with a representative from Atlantic City Electric Co. regarding the possibility for utility pole relocation where needed. We have also been in contact with representatives from Bell Telephone (Verizon) and South Jersey Gas Co. regarding their utility lines within the project area.

We met with Mickey Riggins, an arborist with Arbor Care Resources as suggested by the Environmental Commission. He prepared a proposal to complete the tree inventory for each of the four (4) streets within the project scope. We are presently modifying the scope of the tree inventory for his review. We have also contacted Tom Reilly of Atlantic City Electric to see if they could assist with any tree removal where their lines are involved within the paths of existing trees. We forwarded him a copy of that list for his review and are waiting for his response. We will keep Council informed of further progress.

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

As previously reported, the removal of the impacted soils situated exterior to the building was deemed complete on November 26, 2012.

The impacted soils discovered under the building were addressed administratively by implementing both institutional (i.e., deed notice) and engineering (i.e., cap) controls. ARH prepared the Deed Notice, which the Town Solicitor recorded at the County Clerk’s office on January 17th. On April 9th ARH prepared/ filed a remedial action permit application (soils) with NJDEP for the remaining soil impacts.

Regarding groundwater quality, ARH completed the required classification exception area (CEA) analysis and submitted same to NJDEP on November 15, 2012, to address this issue through the natural attenuation option. The CEA approval is pending; and on April 11th a remedial action permit application (groundwater) was prepared/ submitted to NJDEP for the remaining groundwater impacts.

In connection with the cleanup work, ARH also prepared/ submitted the final Remedial Action (RA) Report on April 16th. As discussed previously with both the Town and Stockton, the remedial action permit(s) will require long-term monitoring and reporting.

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

The NJDOT has announced grant allotments for FY2013:

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

The Town received \$187,000.

This would now provide a total allocation of \$343,640 with the two years of funding approvals. The Town should be receiving the funding agreement for signature.

Bikeways – Phase I to provide a link from NJTRANSIT Train Station to the Lake Park. Phase I would utilize existing ROW and easements to extend from Eleventh Street to the Veterans Place rail road crossing.
 (\$250,000 Requested)

NO FUNDS ALLOCATED

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

NO FUNDS ALLOCATED

13. Boyer Avenue Recreation Complex (ARH #11-75003):

The Contractor has seeded, installed pavement, fencing and landscaping. We are in the process of producing a final punch list. It is anticipated punch list activities can be completed prior to the next

meeting. The Business Administrator will cover the request by Atlantic City Electric to execute an agreement to install a light at the park entrance to Moss Mill Road and the costs associated with same.

14. Celona Property – Railroad Ave/Pleasant St (ARH #11-01054):

No changes since the update provided April 3, 2012. However as a reminder to the Town, on December 21, 2012, NJDEP issued a letter confirming that the Town's LSRP [Henry Weigel] had been released from the case, and that the responsible party (RP) was required to again retain an LSRP within 45 days. Acknowledging the State's 'affirmative obligation to remediate a discharge', the Solicitor was to make a determination as to who the RP is for the site and what obligations the Town might have.

15. Drainage Projects: Lakeshore and White Horse Pike (ARH #11-60202.03):

An application to the NJDOT for Discretionary Aid funding consideration in the amount of \$247,000 was submitted at the end of last year. Copies of the application were forwarded to area legislators. The Town recently received a letter from the Governor's office dated 5/13/13 (copy attached) related to an approval of that allotment request. The Town should be receiving a copy of the Agreement documents shortly for signatures.

We will be preparing a proposal for Council's consideration to complete the final design plan modifications, submission to the NJDOT, specifications, bid documents, etc. in order to proceed to bid. Council must also complete the required modifications to their 2013 budget to accept these funds and include an amount required for construction management, administration, bond counsel and preparation of closeout documents. We will provide the Town with a proposal for this work once the project is bid.

16. Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153): no status change

As noted in prior reports, a Preliminary Site Assessment will be required as part of the initial phase for any funding application the Town may consider to complete the parking lot improvements at this location. If Mayor and Council are still interested in pursuing this project, consideration for inclusion of funds to complete the Preliminary Site Assessment Report should be included within the 2013. We will be guided by Council's action. In discussion with the PWTC, ARH will prepare an application to the NJDEP to seek funds to conduct a site environmental investigation at no cost to the Town.

17. Drainage Projects: Anderson Avenue (ARH # 11-60208.02)

Our ARH field crews have gathered the additional information required for the Phase I area. 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 which will include additional storage along Anderson Avenue between the low points. Overflow to the rear of the lots fronting Anderson Avenue could be a possibility. The Solicitor has been in contact with one of the down gradient property owner's where the overflow stormwater would occur. He will discuss the possibility of obtaining an easement along their property line to Egg Harbor Road. Legal descriptions for the various easements will be provided when required so that the Solicitor can prepare the deeds for signature and filing once the plans are finalized for Phase I. Funding for this work should be established within this year's budget.

18. Chew Road/Jacobs Street/First Road (ARH # 11-60207.02)

Our ARH field crews have gathered the additional information required and we have prepared a revised base plan. We are finalizing the Design Plans for review with the PWTC and affected property owners where easements are required. The initial conceptual design plans have been modified to fit the present onsite field conditions. 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 met with the County representatives and reviewed the conceptual design with them. We are in the process of modifying the plans to correspond to those comments. We have also completed soil borings in the area to obtain the seasonal high water table elevation and determine if there are any restrictive soil layers present that may be of concern and require soil replacement. We will keep Council informed of further progress. Funding for this work should be established within this year's budget.

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

The Contractor is on site and has completed the installation of the stone base for the solar array. The foundations for the solar panels are approximately 50% complete at this time.

SOLICITOR REPORT

Airport re-zoning ordinance (under New Business)

Clustering ordinance reimbursement

#R067-2013 Pulte performance bond release/activate maintenance bond

Resolution #067-2013

WHEREAS, Pulte Homes of New Jersey, Limited Partnership (hereinafter referred to as "Pulte") made application by way of Order to Show Cause directing the Town of Hammonton to approve its completed improvements for the project known as Traditions at Blueberry Ridge; and

WHEREAS, the Court granted Pulte's request in that regard; and

WHEREAS, the Town of Hammonton requested that the Judge require Pulte to replace the performance bond with a maintenance bond; and

WHEREAS, the Court granted the Town's request in that regard.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town release Performance Bond Numbers 8195-38-82 and 929367675 and return same to Pulte; and

IT IS FURTHER RESOLVED that Pulte post with the Town of Hammonton one Maintenance Guarantee in the total amount of Thirty-Five Thousand Six Hundred Dollars (\$35,600.00) in the form of either a Maintenance Surety Bond or Irrevocable Letter of Credit (Maintenance) in Plaintiff's discretion to cover maintenance of Pulte's completed drainage improvements.

Motion by Councilperson Rodio, seconded by Councilperson Esposito, resolution 67 is adopted.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpio - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Committee mtg re: Basin at Traditions at Blueberry Ridge for 6/11/13 at 3:30 pm 3rd floor

Raso vs. Hammonton Litigation Status/Rt. 54 Close Out

School Resource Officer (approved under Dispense with Regular Order of Business)

Water Bill Adjustments

Recreation Ordinance

#R068-2013 Stockton Bond Claim

Resolution #068-2013

WHEREAS, Martell Construction Company, Inc. (hereinafter referred to as "Martell"), the general contractor on the Town of Hammonton/Stockton renovation project, defaulted; and

WHEREAS, Martell was covered by a Surety Bond No. PAIFSU 0553027 provided by the International Fidelity Insurance Company; and

WHEREAS, a change order in the amount of \$13,533.57 (chiller pad) was necessitated by certain work performed by Martell which required adjustment following the default; and

WHEREAS, the Town's architect and attorney expended additional time in order to perform various professional tasks in addressing the aforesaid default and transitioning the project to a new contractor; and

WHEREAS, those professionals have agreed to accept from the bond company seventy percent (70%) of their billing in that regard and to waive payment of the remainder of said bills and their being no other outstanding issues to be addressed by the bond company associated with Martell's default.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Mayor of the Town of Hammonton is hereby authorized to execute a release of International Fidelity Insurance Company on behalf of Martell Construction Company in exchange for payment to the Town of the sum of Twenty-One Thousand Three Hundred Nineteen Dollars and Forty-Four Cents (\$21,319.44) representing payment to The Richard Stockton College of New Jersey in the amount of Thirteen Thousand Five Hundred Thirty-Three Dollar and Fifty-Seven Cents (\$13,533.57); Three Thousand Two Hundred Forty-Nine Dollar and Eighty-Seven Cents (\$3,249.87) to Blackney Hayes Architects (c/o Troy Hill) and Four Thousand Five Hundred Thirty-Six Dollars (\$4,536.00) to Brian G. Howell, Esquire.

Motion by Councilperson Pullia, seconded by Councilperson Furgione, resolution 68 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.

Getty Litigation

Highway Garage UST

MAYOR REPORT

Accept Declination of Position, Joseph Cacia, Alt 2 Lake Quality Committee

Motion by Councilperson Bachalis, seconded by Councilperson Pullia, accept declination of position Joseph Cacia.

ROLL CALL

Councilpersons:

Bachalis - Yes

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

Mayor DiDonato declared the motion carried.

Appoint Alt 2 Lake Quality Committee Member (Mayor appt w/ conf council)
to unexpired 3 year term Ammirato to expire 12/31/13

Motion by Councilperson Bachalis, seconded by Councilperson Pullia, appoint John Fortis as Lake Quality Committee Alternate 2 Member to the 3 year unexpired term of Ammirato to expire 12/31/13.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT

Skinner Building Demo (Minor punch list to complete)
Grant Application for NJ State Division of Forestry – Community Stewardship Incentive Program 2013

Motion by Councilperson Bachalis, seconded by Councilperson Carpio, authorize grant application for NJ State Division of Forestry – Community Stewardship Incentive Program.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

PWM/BUSINESS ADMINISTRATOR REPORT CONTINUED

Boyer Avenue Recreation Fields update – 95% complete
Copier Lease (referred to Solicitor to review bids)
Hire one seasonal for Public Works (full time/temporary) not to exceed 6 months

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize the hiring of one full time/temporary seasonal employee for Public Works Department with no benefits and not to exceed 6 months beginning June 3, 2013.

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 CONTINUED

Bulky Pickup – June 3 to June 7

Brush Pickup – June 10 to June 14

Summer Intern Program – Approve hiring of two interns

Motion by Councilperson Pullia, seconded by Councilperson Carpo, authorize the hiring of summer interns as follows:

1. Daniel Kurdyla, \$10.00 per hour, 10 hours per week in Municipal Utility Dept, not to exceed 12 weeks and no benefits to begin June 3, 2013.
2. Frank Acilio, \$10.00 per hour, 10 hours per week in Public Works Dept, not to exceed 8 weeks and no benefits to begin July 1, 2013.

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 CONTINUED

13th Street Traffic Study Report

Report on Reverse Auction (rate under 8 cents per kilowatt)

RESOLUTION #061A-2013

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, NJ
 AUTHORIZING THE
 PURCHASE OF ENERGY GENERATION SERVICES FOR PUBLIC USE
 ON AN ONLINE AUCTION WEBSITE

WHEREAS, the Town of Hammonton has determined to move forward with the EMEX reverse Auction in order to procure electricity for the Town of Hammonton, and

WHEREAS, the Local Unit Technology Pilot Program and Study Act (P.L. 2001 c. 30) (the act) authorizes the purchase of energy generation services for public use through the use of an online auction service; and

WHEREAS, the Town of Hammonton will utilize the online auction services of EMEX, LLC an approved vendor pursuant to the Act, waiver number EMEX LLC-1, located at www.energymarketexchange.com; and

WHEREAS, the auction will be considered pursuant to the Act; and be it

RESOLVED, that a certified copy of the within Resolution be forwarded by the Town Clerk to all associated parties.

Motion by Councilperson Carpo, seconded by Councilperson Esposito, approve reverse auction rate and contract.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

TOWN CLERK REPORT

1. Accept resignation of Cheryl Prakash eff 5/17/13 & payment of accrued vacation amount \$95.55
2. Approve Fire Co 1 actions: Remove Erin McGlauffin, Jeffrey Hart. Resignation: Robert Geiling.
3. Approve Moss Mill Road street light installation by Atlantic City Electric at \$10,969.85 with \$15.00 processing charge to be paid for by Eagle Construction. Town of Hammonton to assume payment of monthly electric usage.
4. Authorize advertise internally for a p.t. Deputy Clerk with no benefits, \$12.00 hr, not to exceed 13 hrs per week.
5. Authorize hiring of p.t. Keyboarding Clerk 1, for Municipal Court Department, for Tuesday Court only, at \$10.00 hr, not to exceed 8 hrs per week, with no benefits from NJ CSC Re-Employment "Call Back" list.

Motion by Councilperson Bachalis, seconded by Councilperson Esposito, approve Town Clerk Report items 1-5.

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

(Attached)

Motion by Councilperson Bachalis, seconded by Councilperson Esposito, the bill list and purchase orders for payment are approved for May 2013.

ROLL CALL

Councilpersons:

Bachalis - Yes

Carpo - Yes

Esposito - Yes

Furgione - Yes

Pullia - Yes

Rodio – Yes (recused on White Star only)

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #011-2013 Approve Airport Re-Zoning

ORDINANCE # 011 -2013

AN ORDINANCE OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY,
AMENDING SECTION 175-149 (AGRICULTURE PRODUCTION/COMPATIBLE LIGHT
INDUSTRY DISTRICT) LAND USE,
OF THE CODE OF THE TOWN OF HAMMONTON

WHEREAS, Section 175-129 Land Use of the Code of the Town of Hammonton adopts the Zoning Map for the Town of Hammonton, and

WHEREAS, the Town of Hammonton has determined that it is necessary to amend the Official Zoning Map of the Town of Hammonton in conjunction with the Town's proposal to expand the size of the Hammonton Municipal Airport which has resulted in the New Jersey Pinelands Commission recommending that the portion of the AP/CLI Zone containing Block 5702, Lots 1, 2, 3, 4, 5 and 6 become part of the AP Zone.

WHEREAS, an informal meeting with the lot owners impacted by the proposed amendment was held on March 18, 2013 and no objection from those residents was raised; and

WHEREAS, the Planning Board of the Town of Hammonton will evaluate the proposed amendment at its next meeting and make a recommendation concerning the proposed change; and

WHEREAS, receipt of that recommendation is a condition of final adoption of this Ordinance.

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

- A. The official zoning map of the Town of Hammonton be and hereby is amended, per the attached Plan prepared by DY Consultants dated May 6, 2011, to modify the current boundary separating the AP and the AP/CLI districts so that the premises known as Block 5702, Lots 1, 2, 3, 4, 5 and 6 which are currently in the AP/CLI Zone shall, following adoption of this Ordinance and any other legal necessities associated therewith, be part of the AP Zone.
- B. Following approval, Block 5702, Lots 1, 2, 3, 4, 5 and 6 shall thereafter be subject to the current zoning standards of the AP Zone.

Motion by Councilperson Esposito, seconded by Councilperson Furgione, 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 #012-2013 Amend Chapter 271

Ordinance #012-2013

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Section 6 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
Leah Court	Entire Cul-de-sac	Cul-de-sac
Anne Drive	Entire Cul-de-sac	Cul-de-sac
Rachel Court	Entire Cul-de-sac	Cul-de-sac
Alexander Drive	Entire Cul-de-sac	Cul-de-sac

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

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

Motion by Councilperson Furgione, seconded by Councilperson 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

#R061-2013 Approve Inter-local Service Agreement for Code Inspectors with Folsom Borough

Resolution #061-2013

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT FOR
CONSTRUCTION CODE, PLUMBING SUB-CODE, FIRE SUB-CODE AND ELECTRICAL SUB-CODE
INSPECTION SERVICES WITH THE TOWN OF HAMMONTON
AND THE BOROUGH OF FOLSOM

WHEREAS, the Town of Hammonton is statutorily authorized by N.J.S.A. 40A:65-4 to enter into an Interlocal Services Agreement with State, County and Local Governments; and

WHEREAS, the Borough of Folsom has requested the Town of Hammonton's assistance in providing emergency construction code, plumbing sub-code, fire sub-code and electrical sub-code inspection services to their municipality; and

WHEREAS, the Town of Hammonton has determined that there exists a need to provide emergency construction code, plumbing sub-code, fire sub-code and electrical sub-code inspection services to the Borough of Folsom.

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

3. The Agreement which is annexed hereto and made a part hereof with the Borough of Folsom is approved.
4. That the Mayor and Town Clerk are hereby authorized to execute the Agreement between the Town of Hammonton and the Borough of Folsom.

#R061A-2013 Energy Generation Services taken up under Business Administrator Report

#R062-2013 Authorize Inter-local Service Agreement with A.C.I.A.

#R062-2013

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT
WITH ATLANTIC COUNTY IMPROVEMENT AUTHORITY

WHEREAS, the Town of Hammonton has opted to participate in the ACIA Housing Rehabilitation Program; and

WHEREAS, in order to participate in the program, the Town of Hammonton must enter into an interlocal service agreement with the Atlantic County Improvement Authority.

NOW, THEREFORE, BE IT RESOLVED that the Agreement by and between the Atlantic County Improvement Authority and the Town of Hammonton which is attached hereto, is approved and the Chief Elected Official and Municipal Clerk are authorized to sign said agreement.

#R063-2013 Authorize Release of \$24,007.56 in JIF Funds

#R063-2013

RESOLUTION AUTHORIZING THE RELEASE OF \$24,007.56 IN SURPLUS FROM THE TOWN OF
HAMMONTON'S SHARE OF THE AGGREGATE EXCESS LOSS CONTINGENCY FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereafter referred to as the FUND) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the FUND is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

WHEREAS, the FUND has established an Aggregate Excess Loss Contingency Fund pursuant to NJAC 11:15-2.23; and

WHEREAS, in accordance with NJAC 11:15-2.21, the FUND is authorized to release surplus from its Closed Years Fund upon approval from the Department of Banking & Insurance & Department of Community Affairs; and

WHEREAS, should the FUND authorize the Release of Surplus from its Closed Years Fund, each member receiving a share of the surplus has the option of using the surplus as an offset against their next assessment billing, receiving the surplus as a direct payment, or placing a portion of their surplus in the FUND's Aggregate Excess Loss Contingency Fund; and

WHEREAS, several members, including the Town of Hammonton, have placed a portion of their Surplus from amounts released in prior years, into the Aggregate Excess Loss Contingency Fund; and

WHEREAS, based upon the April 30, 2013 Financial Review, the Town of Hammonton had an accumulated balance of \$84,600.00 in the Aggregate Excess Loss Contingency Fund; and

WHEREAS, the Fund Commissioner from the Town of Hammonton has sent a written request to the Fund Administrator's office asking that \$24,007.56 of their available balance be released from the Aggregate Excess Loss Contingency Fund;

NOW THEREFORE BE IT RESOLVED, by the Town of the Hammonton that the Fund Treasurer is hereby authorized to release \$24,007.56 from the Town of Hammonton's balance in the Aggregate Excess Loss Contingency Fund in the form of a lump sum payment for the 2013 Fund year to the Town of Hammonton.

#R064-2013 Supporting Sustainable State Funding

#R064-2013

Resolution Supporting Sustainable State Funding for Preservation and Stewardship
of Open Space, Parks, Farmland and Historic Sites in New Jersey

WHEREAS, New Jersey has a long and successful history of preserving open space, parks, farmland, and historic sites; and

WHEREAS, the Green Acres Program has helped to preserve over 650,000 acres of land and supported more than 1,100 park development projects over the past 50 years; the State Agricultural Development Committee has preserved 200,000 acres of farmland over the past 30 years; and the Historic Trust has preserved 477 historic sites over the past 45 years; and

WHEREAS, all remaining funds for these programs under the Green Acres, Water Supply and Floodplain Protection, Farmland and Historic Preservation Bond Act of 2009 have been fully allocated; and

WHEREAS, the Town of Hammonton has been a direct beneficiary of, and partner to, these critical state preservation programs; and

WHEREAS, substantial unmet needs remain for additional land and water protection, park development, and farmland and historic preservation, for the health and welfare of our communities and residents; and

WHEREAS, it is imperative that a long-term, dedicated source of funding be established in order to:

- Sustain open space, farmland, and historic preservation programs beyond the 2009 Bond Act;
- Improve and ensure proper stewardship of parks, preserved lands, and historic sites;
- Match and leverage local, county, and private funds for these purposes;
- Protect drinking water supplies, water quality, and alleviate costly flood damages;
- Preserve fish and wildlife habitat and provide public access for hunting and fishing;
- Protect our quality of life and economic prosperity,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, Atlantic County, State of New Jersey, that:

1. The Town of Hammonton supports establishment of a long-term, dedicated source of state funding for these purposes.
2. A certified copy of this resolution be delivered to Governor Chris Christie, Senator Dawn Addiego, Assemblyman Scott Rudder, and Assemblyman Christopher Brown, the Board of Chosen Freeholders County of Atlantic, NJ Keep It Green, and the New Jersey State League of Municipalities.

#R065-2013 Tax/Utility Amendments

#R065-2013

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
4601-26	Atlantic Health	43 N WHP	\$ 13,888.00	Tax	Tax Judgement Refund The Irwin Law Firm
2102-2	Wright	839 N HER	\$ 590.11	Util	Refund due to meter over estimated

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.

#R066-2013 Authorize Various Refund(s)

#R066-2013

A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING VARIOUS REFUNDS

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the following refunds are authorized as approved by the respective Department Heads of the Town of Hammonton:

Margaret Sirolli	Registration/Inspection Fee	\$140.00
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Motion by Councilperson Bachalis, seconded by Councilperson Pullia, resolutions 61-66 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

Mark Santora – Old Forks Road

Mr. Santora posed questions concerning Pulte/Traditions at Blueberry Ridge basin and qualifications of professional to which the Solicitor responded.

MEETING ADJOURNED

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

April Boyer Maimone, Municipal Clerk