

REGULAR MEETING OF COUNCIL

Monday, February 13, 2006 at 7:00 P.M.

Council Chambers

Town of Hammonton

100 Central Avenue

Hammonton, New Jersey 08037

MEETING CALLED TO ORDER BY MAYOR DIDONATO AT 7:00 P.M.

ROLL CALL

Mayor DiDonato

Councilpersons: Bertino, Colasurdo, Falcone, Massarelli, Wuillermin.

Absent: S. Lewis.

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese, Town Engineer

Chris Rehmann, Town Engineer

Kerri Cody, Conflict Solicitor

PLEDGE OF ALLEGIANCE

PUBLIC SAFETY NOTICE

This meeting has been properly posted on the bulletin board reserved for such notices on the first floor of the Town Hall and mailed to two newspapers pursuant to law. Please familiarize yourselves with the fire exit drawing to the rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

APPROVAL OF MINUTES

Motion by Councilperson Falcone, seconded by Councilperson Bertino, the minutes of the Regular Meeting of 1/23/06 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Ordinance #2-2006 Liquor License Fees

Ordinance #002-2006 entitled "ORDINANCE OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER

38 OF THE TOWN OF HAMMONTON ENTITLED "ALCOHOLIC BEVERAGES" SO AS
TO REVISE THE ANNUAL FEE FOR PLENARY RETAIL CONSUMPTION,
DISTRIBUTION AND CLUB LICENSES AND TRANSFER FEES," was read by
title only.

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

No one desired to be heard.

Motion by Councilperson Falcone, seconded by Councilperson
Bertino, the public hearing be closed on Ordinance 2-2006 and the
ordinance be adopted.

ON THE QUESTION:

Councilperson Bertino questioned the percentage of increase to
rates?

The Deputy Clerk responded 20 percent.

ROLL CALL:

Bertino - yes

Colasurdo - Abstain

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - Abstain

Councilperson Wuillermin declared the ordinance adopted.

2. Pace & Associates Presentation

Mr. Frank Pace of Pace and Associates referring to handouts given
to Mayor

and Council gave a presentation on the services offered by his
company. Such services include assistance and grant procurement

for vacant properties in commercial/industrial sites in the Town of Hammonton. He further stated that Pace Associates assists municipalities with application and handles investigative and remedial work.

Councilperson Colasurdo questioned has Mr. Pace identified any available properties that would fit this description in Hammonton as of this date?

Mr. Pace responded, no.

Councilperson Wuillermin questioned if Mayor and Council would be able to receive confirmation that grant is available prior to acquiring a particular property?

Mr. Pace responded, yes.

Councilperson Bertino advised Mayor and Council of similar grant procurement activity the town participated in such as Brownsfield Development.

Mr. Pace confirmed that remedial money would be made available to the town also should a property require remediation first.

Councilperson Colasurdo questioned if the previous owner can later re-claim their property from the Town?

Councilperson Bertino stated that an agreement should be entered into so that this would be avoided. He went on to name other successful remediation projects and properties including Pitstop and Policastro Property.

Councilperson Massarelli questioned the time line for any given remediation project?

Mr. Pace responded that would be site specific. If there are issues with a certain site, the process can become lengthy.

Mayor DiDonato stated prior application process did not include receipt of funds for remedial services to which Mr. Pace concurred.

Mayor DiDonato requested input from the public.

No one desired to be heard.

Mr. Pace thanked Mayor and Council and was excused.

3. Prioritize projects moving forward

Councilperson Colasurdo

Request to Award Bid - Fire Breathing Apparatus

Councilperson Colasurdo invited Chief Frank Domenico to advise Mayor and Council on the request to Award Bid for Fire Breathing Apparatus that is on the agenda this evening.

Chief Domenico thanked Mayor and Council for giving him the opportunity to further explain the importance and history of the bid for fire breathing apparatus as well as the necessity to award same this evening. Chief Domenico first explained the steps that the Fire Company took to ascertain a Fema grant to fund the necessary, updated fire breathing apparatus for the volunteer fire company. Chief Domenico stated that fire department representatives then took the time to investigate several types of breathing apparatus from several different companies and came to the same conclusion that this type of specified bid was the most effective and safe for the volunteers of the Hammonton Fire Department. Therefore, the bid was made for specific qualifications. He advised there are updated safety features on the new packs. He also advised that the price bid was at a 28 percent discount. The Clerk's office did advertise per law in one newspaper and did submit bid packages to 2 vendors, however, only one vendor bid on same. Chief Domenico also stated that he feels the outdated breathing apparatus could be sold by advertising for bids in the future.

Councilperson Wuillermin stated he fully supports the Hammonton Fire Department and his concern is that the officials of the Town of Hammonton make every attempt to obtain multiple bids on all products/services provided to the Town.

Councilperson Colasurdo confirmed to Mayor and Council that in the future every attempt will be made to acquire multiple bids on all projects/services provided to the Town of Hammonton to which the Deputy Clerk concurred.

Councilperson Colasurdo Capital Budget Project Review

After a review of Councilperson Colasurdo's capital budget/projects which included projects that will move forward as well as projects that will be held it was on motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, to freeze spending on several capital projects as indicated on excel spreadsheet provided to the Deputy Clerk and made part of the official minutes.

ON THE QUESTION:

Councilperson Bertino advised Mayor and Council as well as the public that when Mayor and Council discuss and vote on freezing a capital budget account they simply mean that they are not going to allow any further expenditures from same and are placing a hold on that particular project. This will not reduce the budget.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Councilperson Massarelli Capital Budget Project Review

After a review of Councilperson Massarelli's capital budget/projects which included projects that will move forward as well as projects that will be held it was on motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, to freeze spending on several capital projects as indicated on excel spreadsheet provided to the Deputy Clerk and made part of the official minutes.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Councilperson Wuillermin Capital Budget Project Review

After a review of Councilperson Wuillermin's capital budget/projects which included projects that will move forward as well as projects that will be held it was on motion by Councilperson Wuillermin, seconded by Councilperson Colasurdo, to freeze spending on several capital projects as indicated on excel spreadsheet provided to the Deputy Clerk and made part of the official minutes.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Councilperson Bertino Capital Budget Project Review

After a review of Councilperson Bertino's capital budget/projects which included projects that will move forward as well as projects that will be held it was on motion by Councilperson Bertino, seconded by Councilperson Colasurdo, to freeze spending on several capital projects as indicated on excel spreadsheet provided to the Deputy Clerk and made part of the official minutes.

ON THE QUESTION:

Councilperson Colasurdo wanted to stress he is in favor of holding certain projects but wants to be sure that Central Avenue project will go forth this year.

All members concurred.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Mayor DiDonato reviewed Council. S. Lewis' Capital Budget Projects in her absence

After a review of Councilperson S. Lewis' capital budget/projects which included projects that will move forward as well as projects that will be held it was on motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, to freeze spending on several capital projects as indicated on excel spreadsheet provided to the Deputy Clerk and made part of the official minutes.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Prioritize Top 5 Projects

Motion by Councilperson Colasurdo, seconded by Councilperson Massarelli,

to prioritize the following top 5 projects:

1. Town Hall
2. Sidewalks/Downtown Parking
3. Egg Harbor Road
4. Central Avenue
5. Lake Community Center

All present members of council voted in the affirmative. Absent: S.

Lewis.

Mayor DiDonato declared the motion carried.

Freeholder James Curcio

Freeholder James Curcio was present and thanked Mayor and Council for prioritizing Central Avenue project. Freeholder Curcio further stated that the Town of Hammonton will have Atlantic County's support with the project.

Anna Marie Calascione

Mrs. Calascione questioned the term "freezing" that Mayor and Council approved on several capital project accounts? She further questioned will freezing an account put money back into the town's budget?

Councilperson Wuillermin explained that the Town currently has a large amount of "permissions to spend" and Mayor and Council are freezing those permissions.

Councilperson Falcone responded Mayor and Council are not reducing the budget but are placing certain accounts on hold.

RESUME REGULAR ORDER OF BUSINESS

Motion by Councilperson Colasurdo, seconded by Councilperson Wuillermin, resume the regular order of business. Motion carried.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

Motion by Councilperson Colasurdo, seconded by Councilperson Falcone, close the public heard for agenda action items. Motion carried.

EMERGENT MATTERS

Committee

Councilperson Colasurdo Report

1. Wished Police Chief get well
2. Thank you - Jerry Vitale - Reagan Rock light repair
3. Encouraged citizens to "adopt a road" contact Dr. Hozik, Env. Comm.
4. Phone/cell phone e mail re: personal calls
5. Blueberry logo complete

Confirm Blueberry Logo and Authorize Deputy Clerk to Forward to Printer

Motion by Councilperson Colasurdo, seconded by Councilperson Massarelli, confirm and finalize "blueberry logo" and authorize the Deputy Clerk to notify Department Heads and forward to printer.

ON THE QUESTION:

Councilperson Falcone advised Mayor and Council that he received a request from Police Officers who do not wish to have the "blueberry logo" placed on their police vehicles and prefer the present logo.

Mayor DiDonato stated the decision to place the "blueberry logo" on Town Vehicles as well as letterhead, business cards, forms, etc. has already been authorized by Mayor and Council at a previous meeting. This vote is only to confirm the finalized logo and authorize the Deputy Clerk to place the orders.

Councilperson Colasurdo stated it is his opinion that the "blueberry logo" appear on police vehicles also.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Councilperson Massarelli Report

1. The Town is receiving a 4.8 cent per minute rate on telephone calls and has received a credit of \$1,592.09 for an error made by the telephone company
2. Encouraged member participation at Chamber of Commerce Meetings

Councilperson Wuillermin Report

1. Bid for Lincoln Street well received 2/13 will be reported at 2/27 CM
2. Met with NJ DEP re: extension of water capacity in Hammonton
3. Recommend dissolve MUAC as the committee only duplicates the work process of the town council committee and town engineer

Councilperson Bertino stated he would like to go on record as being

opposed to dissolve MUAC as he feels the committee allows more people to review the same matters.

Referred to Solicitor for review and report back at 2/27/06 council meeting.

Councilperson Falcone Report

1. Board of Education request advance payment of District School Tax

Motion by Councilperson Falcone, seconded by Councilperson Bertino,

authorize advance payment of district school tax in the amount of \$1,151,079.00 for one time only and the Deputy Clerk to request from the Treasurer a record of the last 3 years advance payments made to Board of Education for Mayor and Council's review.

ROLL CALL:

Bertino - yes

Colasurdo - yes

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - yes

Mayor DiDonato declared the motion carried.

Authorize Letter to Board of Education - Waterford

The Deputy Clerk was also requested to forward a letter to Board of Education to ascertain the percentage they receive from Waterford.

Councilperson Bertino Report

1. Road restoration projects
2. Disbursement of toters to residents & add'l toter requests

Councilperson S. Lewis Report given by Solicitor

Solicitor summarized Councilperson S. Lewis report on COAH concerns.

Councilperson Wuillermin confirmed that Councilperson S. Lewis' concerns are being dealt with at this time.

Engineer Report

1. Town Hall
2. Sidewalk/Downtown Parking
3. Egg Harbor Road
4. Central Avenue
5. Lake Community Center

Solicitor Report

1. Sale Master Wire Property

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo,

authorize Solicitor to prepare contract. Motion carried.

2. Sprint Meeting Town Hall 2/14 @ 2:00 p.m.
3. Historic Preservation Commission Member Correction

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino,

authorize Solicitor to prepare ordinance for 2/27 council meeting to amend current Historic Preservation membership. Motion carried.

4. Red White Blueberry Festival status
5. Thank you Anthony Mortellite Rent Control

6. COAH Letter from former Solicitor Costigan dated 2/13/06

Mayor Report

Freeze All Hiring

Motion by Mayor DiDonato, seconded by Councilperson Colasurdo, freeze all new hiring and replacement hiring in the Town of Hammonton.

All present members of council voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

Thank you Department Heads

Mayor DiDonato thanked all the Town of Hammonton Department Heads for their efforts in providing information to help with transition process of the new Mayor and Council.

TOWN CLERK/ADMINISTRATOR REPORT

Bid Results-Fire Breathing Apparatus Received 1/30/06 (One Bid Received)

Nat Alexander, Laurel Springs, NJ \$156,055.00

Also forwarded bid packet to MES, Exton, PA no bid received

Budgeted: \$175,750.00 in Grant funds

Refer to New Business for resolution.

Atlantic County Municipal JIF Safety Awards - Year 2005

Recognize Significant Reduction in "Lost Time" Accident Frequency

Recognize Outstanding Town Utilities

Successfully met 2005 Safety Incentive Program

COMMUNICATIONS

1. From ANGELA MAIONE COSTIGAN re: sidewalk easements Egg Harbor Road Easements.

Ordered received and filed.

2. From BRIAN HOWELL, SOLICITOR, to David Smith of DEP re: Historic Society Bldg/Veterans Park.

Ordered received and filed.

Authorize Purchase Additional Salt for Roadways

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize purchase of additional salt for roadways to replace salt used during last snow storm.

ROLL CALL:

Bertino - yes

Colasurdo - yes

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - yes

Mayor DiDonato declared the motion carried.

ORDINANCES

None.

RESOLUTIONS

#R 34 -2006 Resolution Awarding Bid for Fire Breathing Apparatus

RESOLUTION # 34 -2006

RESOLUTION AWARDING CONTRACT ON BID

Breathing Apparatus Fire Department

WHEREAS, the Town of Hammonton did advertise for competitive bids for purchase of Breathing Apparatus for the Hammonton Fire Department which were received on January 30, 2006; and

WHEREAS, the only bid received was from Nat Alexander Company Inc., 121 White Horse Pike, Laurel Springs, New Jersey 08021 in the total amount of \$156,055.00; and

WHEREAS, the bid of Nat Alexander Company Inc. has been determined to be consistent with the requirements of the Town of Hammonton and the Public Contract Laws of the State of New Jersey.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, AND STATE OF NEW JERSEY that a contract be awarded to Nat Alexander Company Inc. in the amount of \$156,055.00 and consistent with the bid submitted.

Motion by Councilperson Colasurdo, seconded by Councilperson Bertino, the resolution be adopted.

ROLL CALL:

Bertino - yes

Colasurdo - yes

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Stan Rap - Myrtle Street

Mr. Rap stated he appeared before Mayor and Council approximately 2 -3 years ago complaining about the conditions of his unpaved roadway and to date nothing has been improved. Mr. Rap once again described the conditions of Myrtle Street and stated that the town did not even plow the street during the last snow storm.

Councilperson Bertino apologized and stated in the future Myrtle Street will be plowed as well as graded as to allow access to same.

Mr. Tercado - Myrtle Street

Mr. Tercado was also present and concurred with Mr. Rap's complaint.

Authorize Engineer to Apply for Extraordinary State Aid - Myrtle Street

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize the Engineer to apply for extraordinary State Aid for Myrtle Street.

ROLL CALL:

Bertino - yes

Colasurdo - yes

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - yes

Mayor DiDonato declared the motion carried.

#R 35 -2006 Resolution Enter Into Executive Session

#R 35 -2006

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the "Open Public Meetings Act," an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Approve Executive Session Minutes
2. Personnel
3. Litigation

BE IT FURTHER RESOLVED, that the minutes of said Executive Session

shall be released only after same will have no adverse effect on the matters involved as determined by the Mayor and Common Council.

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, the resolution be adopted.

ROLL CALL:

Bertino - yes

Colasurdo - yes

Falcone - yes

Massarelli - yes

S. Lewis - Absent

Wuillermin - yes

Mayor DiDonato - yes

Mayor DiDonato declared the motion carried.

Resume Regular Order of Business

Motion by Councilperson Bertino, seconded by Councilperson Falcone, resume the regular order of business. Motion carried.

Authorize Solicitor Litigate - 11th Street

Motion by Councilperson Bertino, seconded by Councilperson Colasurdo, authorize Solicitor to litigate 11th Street lawsuit.

All present members voted in the affirmative. Absent: S. Lewis.

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED AT 11:15 P.M.

Motion by Councilperson Falcone, seconded by Councilperson Wuillermin, the meeting be adjourned. Motion carried.

April Boyer Maimone, Deputy Clerk