

Minutes
REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, March 17, 2008 at 6:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Barberio - P
Bertino - P
Marino - P
Petrongolo - P
Vitalo - P
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor

#R041-2008 Enter Into Closed Session

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

1. 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 Marino, seconded by Councilperson Vitalo, resolution to enter into closed be adopted.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Marino - Y
Petrongolo - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Resume Regular Open Meeting

Motion by Councilperson Marino, seconded by Councilperson Vitalo, resume the open meeting. Motion carried.

OPEN SESSION ROLL CALL

Mayor DiDonato - P
Councilpersons:
Barberio - P
Bertino - P
Marino - P
Petrongolo - P
Vitalo - P
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

This meeting has been posted on Town Hall bulletin board and e mailed to official newspapers pursuant to law. Please familiarize yourselves with the 3 fire exits to the right of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Chief Frank Ingemi

Chief Ingemi stated he wished to be heard concerning newspaper article and read quote from save from Fiscal Oversight Committee member statement in which consideration was given to abandon the Hammonton Police Department and employ the services of the New Jersey State Police to set up office in our new town hall as a cost savings to the taxpayers. He reviewed a number of reasons to keep our police department including loss of income from summons issuance. He stated the taxpayers and citizens would lose the hands on personal attention our Hammonton Police Department provides such as funeral escort, door checks, police assistance at processions and parades and events, etc. that Hammontonian's have grown accustomed to through the years. He stated we currently have police officers stationed in our public schools. He advised the police department also aided Kessler Hospital during their financial problems with employing guards. He firmly stated that he feels our New Jersey State Police are very capable but are busy enough handling their own job requirements that he believes their services would be very limited to Hammonton. He also reminded everyone of the importance of the Hammonton Police Departments response time to calls. He stated that he realizes Mr. Don DiDonato of FOC is looking to save money however the employees of the Hammonton Police Department do not agree with his ideas or believe they are practical. He realizes many municipalities are looking to combine with bordering municipalities and strong feels that Hammonton is a leader and should be the municipality to offer our support to surrounding areas rather than be the one taken over. He thanked Mayor and Council for their time.

Mayor DiDonato responded to Chief Ingemi that later in the meeting there will be a budget discussion which will identify where costs were but from the proposed 2008 budget. He stated that he feels the Chief and himself have a good working relationship. He also feels that this Mayor and Council has shown that they support our police department and appreciate them with new hires and police vehicles.

Chief responded to Mayor that every officer present this evening appreciates what has been done for the Hammonton Police Department, however, when a newspaper quote states that discussion was held by FOC to disband the department it's somewhat of a slap in the face. He understands this administration doesn't want to raise taxes. However, he feels the taxpayers would agree with a small increase to allow our budget to provide the same services they have grown accustomed to, with necessary cost of living increases. He applauds Mayor and Council for what they have accomplished in the Town of Hammonton, but he felt the need to stand up for his men and his department.

Mayor DiDonato agreed these men have been working in deplorable conditions and he totally appreciates the police department.

Councilman Wuillermin reiterated that he respects the police department greatly and takes his job as committee member to police department very seriously. He advised in discussion many things may be said but this group is the policy making members. Referring to the Fiscal Oversight Committee, it does not mean everything they look at or every idea they come up with will be the direction this council takes.

Councilman Bertino advised Chief that Mr. Don DiDonato, has a role as Fiscal Oversight Committee Chair, and may make statements or comparisons, however, Councilman Bertino would never be in favor of outputting services of the Hammonton Police Department.

Councilman Marino thanked Chief and men and women of police department as they are doing an outstanding job. He felt Mr. DiDonato chose to make a poor statement to the newspaper. He advised the average person does not understand what it takes to do their job. He also firmly stated that he believes public safety should be made a priority.

Councilman Vitalo added that our police department is like family and they have always been there for all of us. He would never disband the police department.

Councilwoman Petrongolo added that she feels the same about our police department and assured everyone that she cannot imagine the state police being in our new town hall. She stated the Hammonton Police Department is one of the best around. She also agreed with Councilman Wuillermin that the Fiscal Oversight Committee is only that and cannot make such decisions.

Gail Murry – Hammonton Garden Apartments

Ms. Murry questioned the abolishment of the rent control and board and how that would affect current tenants with problems?

Solicitor advised that so long as she lives in that apartment, rent control will continue to be there for Ms. Murry. Only when she moves or passes on, will rent control cease for that unit. He further explained that any rent control complaints will be dealt with by Mayor and Council and specifically "Quality of Life" committee. He further advised that the board was advisory only and any unresolvable landlord problems were handled at the Town Solicitor level in the past.

Mr. Anthony Mortellite, Rent Control Secretary and former board member, advised of a circumstance where a landlord tried to raise the rent so high that the Town Solicitor had to step in because the board could not handle same.

Councilman Bertino once again questioned who does the renter come to with a complaint?

Solicitor advised once again, to Quality of Life committee.

Councilman Bertino then questioned the council committee has authority to negotiate a rent increase or how would that work?

Councilman Wuillermin reiterated that the problem ultimately comes to council to uphold ordinance, rent control board has always been advisory only.

Solicitor stated he felt some people who would normally open a garden apartment would re consider due to the cap being placed on the income they can earn at current time. He feels this ordinance is good for the landlord and still protects the tenant.

Councilman Vitalo reiterated that he feels the people would rather know that there is a board they can visit instead of calling a "Quality of Life" committee person. He feels this council should re appoint the rent control members who recently resigned and keep the rent control board.

Mayor suggested they debate the issue during the ordinance discussion under New Business this evening.

Mr. Anthony Mortellite clarified he is willing to stay on and be retained by the town in the rent control process for those tenants who are grandfathered in. He explained he became involved in an inspection with Councilman Vitalo concerning renter call concerning the CPI allowable rent increase. In investigating he found they did raise the rent \$7.00 too much. He asked Councilman Vitalo to go with him as he is a member of rent control board and he prefers a witness during his visits to renters apartments.

Solicitor advised everyone that in the instance that Mr. Mortellite just explained, the renter with the problem knew to call Mr. Mortellite and did not rely on a rent control board. Therefore, he feels all renters will be well advised to contact the "Quality of Life" committee.

Mr. Mortellite also stated if we don't have someone watching over the rent control, the renters will be taken advantage of.

Jose Diaz – Shade Tree Commission

Mr. Diaz stated he was going to advise Mayor and Council on the performance techniques of the current Shade Tree Commission however he read in his agenda that the Shade Tree Commission is going to be repealed. He thanked Mayor and Council for the opportunity to serve and thanked his co members. He also advised of the number of trees pending removal. His question was how will property owners on town roadways be served when the county and state only take down trees along their roadways? His concern is he has several letters to residents advising that they have been approved for tree removal. He handed over his final report of outstanding tree removal approved by Shade Tree Commission to Mayor and Council.

Mayor requested Mr. Diaz send letters to those property owners on county or state roadways advising they may apply direct for tree removal.

John Rodio – Golf Drive

Mr. Rodio commended council for looking at every avenue to keep taxes down as he feels no one wants taxes to go up. His question is the ordinance amendment concerning leaf pickup and stated he does not feel this is a simple issue that can be changed overnight. He explained his point of view concerning highway employees job requirements with the current leaf pickup and the proposed leaf pickup. He asked Mayor and Council to first try to enforce the leaves being placed properly instead of placing same in bags. He feels the bags will still be a hazard.

John Bee

Mr. Bee advised he is talking to council now because he cannot talk to them due to a lawsuit.

Solicitor questioned what agenda item is Mr. Bee going to comment on?

Mr. Bee advised #1 engineer report as well as other items. Mr. Bee continued to talk about his proposed senior citizen project that is currently in court.

Solicitor requested Mr. Bee to speak on the agenda items he is referring to as this portion is for agenda action items.

Mr. Bee took his seat.

APPROVAL OF MINUTES

Motion by Councilperson Marino, seconded by Councilperson Vitalo, the minutes of the Regular Meeting February 25, 2008 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

- 1. Town Hall Update

Mayor DiDonato updated council on the status of the town hall construction project in the absence of the committee.

Approve Change Order

McCloud Group, Construction Manager \$9822.24

Motion by Councilperson Wuillermin, seconded by Councilperson Petrongolo, approve change order as listed.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

- 2. Eagle Theatre Update

Mr. Dwight Baldwin gave a brief presentation on the status of the Vine Street Eagle Theatre history, intended restoration, fund raising for restoration, purpose to provide arts and entertainment and revitalize downtown. He invited all to their March 29th event at Casiano's in downtown Hammonton.

- 3. Hearing Transfer Person/Person Liquor License Vision Property to Trinity Vintners AND Approve #R043-2008 Liquor License Transfer Vision to Trinity

Mayor DiDonato recused himself from this portion of the meeting.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, a hearing be held for transfer of liquor license Vision to Trinity. Motion carried.

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, the hearing be closed and transfer Resolution 43-08 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Deputy Mayor Wuillermin - Y

Mayor DiDonato - Recused

Deputy Mayor Wuillermin declared the motion carried.

- 4. Hearing Ordinance #005-2008 Authorize Fire Department Obtain Reimbursement

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

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, the hearing be closed, the ordinance be adopted and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

5. Hearing Ordinance #006-2008 Salaries Telecommunicators

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

No one desired to be heard.

Motion by Councilperson Marino, seconded by Councilperson Vitalo, the hearing be closed, the ordinance be adopted and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

6. Hearing Ordinance #007-2008 Salary Urban Initiatives Coord. Housing Authority

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

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, the hearing be closed, the ordinance be adopted and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – recused

Deputy Mayor Wuillermin declared the motion carried.

7. Hearing Ordinance #008-2008 Amend Chapter 6 Park Commission/remove Counc. Wuillermin

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

No one desired to be heard.

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, the hearing be closed, the ordinance be adopted and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

8. Mayor's Presentation of 2008 Proposed Budget

Mayor DiDonato passed out the proposed 2008 budget which allowed for increases in certain areas as well as decreases in certain areas. He asked all department heads to work within their budgets to help Mayor and Council to keep the taxes down for the taxpayers. He reminded everyone that many taxpayers are on fixed incomes and cannot afford the rising cost of living. He announced a budget hearing will be held at the next meeting of April 28.

RESUME REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

(these reports shall be compiled from the specific meeting of the council members when a council committee meeting is held, and report shall be made by the Committee Chairperson)

ADMINISTRATION-Councilman Barberio

No report but to meet soon with Administration concerning the move into new town hall

QUALITY OF LIFE-Councilman Barberio

Pursue funding for improvements

Sale of 11th Street site

Small Cities Grant Senior/Community Center at Hammonton Lake Park

Councilman Bertino questioned Councilman Barberio if there was preliminary design for community center?

Councilman Barberio responded 3200 square feet and 182 occupants and described the plan in detail.

Councilman Bertino questioned if the building is pre fab?

Councilman Barberio responded no.

Councilman Vitalo questioned foundation of boat ramp?

Councilman Barberio agreed that the boat ramp could potentially be an issue however they have not looked into same yet as we have just received the grant.

Mayor DiDonato assured the public that the building will have to pass inspections.

BUSINESS AND INDUSTRY-Councilman Petrongolo

Update on proposed State office building

Councilman Vitalo reported on Chamber of Commerce Meeting including the combination of Red White Blue and Fourth of July event.

EDUCATION-Councilman Bertino

DARE Program Update and eagerness to continue with police presence in schools

State budget cuts affecting municipalities was discussed

Solicitors negotiating the re payment of loan between town and school

Discussion were held with reps from Stockton College for Education Center for all

Councilman Barberio questioned the education center for all and who and what would that include?

Councilman Bertino advised education would be provided to school students as well as college students with proper funding.

PUBLIC WORKS-Councilman Wuillermin

Water Allocation Update
14th Street and Lincoln Avenue construction update
proposed trash removal ordinance under New Business
GIS study update
Working on water conservation

LAW AND ORDER-Mayor DiDonato

No report this evening but will meet soon with Chief due to the move into new town hall

Mayor requested John Warren update council on landlord registration.

Mr. Warren advised he was hired in May 2007 and to date he has registered 1255 and asked all landlords to register as soon as possible. He's handled multiple code violations as well.

Solicitor stated he feels the public will begin to see the visible improvements that have come about due to the newly imposed landlord registration requirement.

Mr. Warren stated the yearly inspection and license has actually been an improvement for the landlords as well thanked all landlords as they have been extremely cooperative with the new registration process.

Councilperson Bertino questioned Mr. Warren concerning the curbside trash left by landlord when a tenant leaves the premise and questioned if that problem is restricted to certain landlords?

Mr. Warren stated no, the problem is all over town.

Councilperson Bertino questioned if Mr. Warren feels the problem should be addressed by ordinance?

Mr. Warren stated it's habitual and all are doing it. Per Solicitor opinion Mr. Warren advised bulky is picked up first full week of month on your trash day.

Councilman Bertino questioned will Mr. Warren notify landlords of the new ordinance concerning bulky being brought directly to the transfer station?

Mr. Warren responded yes.

Councilman Barberio stated to Mr. Warren that he seems very productive with his time.

Councilman Marino Report on Lakeview & Egg Harbor intersection

After a discussion of Mayor and Council it was determined that Bob Vettese will meet onsite with Councilman Marino to inspect overgrown grass, dead tree and need for rumble lines before the stop sign. Further, Bob to forward letter to Jerry Canter, Traffic Engineer, concerning traffic sight problem and forward letter to county concerning traffic sight problem and possible placement of rumble strips.

ENGINEER REPORT

SEWER & WATER – ACTION ITEMS

1. AN Construction Subdivision Third Street Sanitary Sewer Extension Request (11-20206):

We have met with the Sewer Superintendent along with the Public Works and Transportation Committee regarding the sanitary sewer extension request for the above noted property. The property consists of a 19 lot subdivision off of Third Street which has been granted preliminary and final approval from the Planning Board subject to compliance with certain conditions. The Public Works and Transportation Committee recommends preliminary approval for the sanitary sewer extension request subject to compliance with certain conditions noted in the attached resolution.

Refer to new business for resolution.

2. Moss Mill Road/White Horse Pike Utility Extension (11-50124):

Since the last reporting period, we met with the County Engineer to discuss restoration and permitting requirements along Moss Mill Road. In order to make a submission to NJDOT we will need the Mayor to sign the application. Once submitted to NJDEP we should be able to advertise for bid, likely within the next month.

We have provided a sample resolution, which authorizes the Mayor to sign the application. The resolution is attached to this report.

Refer to new business for resolution.

PUBLIC WORKS – ACTION ITEMS**3 HDSRF Grant Application Skinner & Celona Properties (11-01054):**

As authorized last meeting, we have proceeded forward on preparing the Hazardous Discharge Site Remediation Fund (HDSRF) grant request for the Skinner and Celona properties. In order to proceed further, a resolution for each of the properties must be passed indicated in the Town's commitment towards the redevelopment of the properties.

Refer to new business for resolution.

4. Drug Free Map Revisions (11-01000):

ARH/Civil Solutions staff met with representatives from the Town Police Department Solicitor and the Atlantic County Prosecutor's office regarding revisions to the statute and modifications required to be completed to the School and Buffer Zone map prepared by ARH in November of 1987. The map must be revised to reflect all school owned and public properties noting the different buffers required for each. Civil Solutions will be preparing a proposal for Council's consideration which we will forward to each Council representative Clerk, Solicitor, Police Chief, etc. prior to Monday's Council meeting.

Motion by Councilperson Bertino, seconded by Councilperson Marino, approve of the proposal from Civil Solutions to complete the work required to update the Drug Free Map and property listing in accordance with the present statute standards in amount of \$3,000.00.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS**5. Well #5-#7 (11-30139.03):**

Progress at both the 14th Street (Well #7) and Lincoln Street complexes (Wells #1 and #3) has been measurable. Well #7 is near completion and will be ready for the NJDEP sampling shortly. Arrangements are being made with the NJDEP to expedite the sampling process which is a prerequisite to allowing the well to be officially activated. It is expected that the Well will be completed by April 1, 2008. Operation of the new Well will be dependent on the turnaround time from the NJDEP. Once Well #7 is fully operational Well #5 on the same site will be rehabilitated.

As for the Lincoln Street complex, the equipment has been delivered. It is expected that the improvements at this site will also be completed by the end of March. Return to operation of this facility is not dependent upon NJDEP approval.

6. Water Allocation (11-30088):**Major Modification Application:**

All of the test data has been compiled and analyzed by ARH staff. We are still completing the diversion request values and comparing the values to build-out projections to submit a reasonable and acceptable diversion increase request. A slight delay in completing the report has been experienced as it relates to the actual request value. An evaluation of all current planning board activity needs to be incorporated in the report. Nevertheless the report should be filed by the night of the meeting.

Future Well:

As previously reported, following the collection of data regarding the three pilot well locations from the Aquifer Testing Program, we will submit to the Town a proposal for siting the test well for Well #8.

7. Boyer Avenue Land Application Site – Drip Irrigation (11-50127):

We are in the process of preparing an outline of a report to submit to Pinelands that will address each of the observations generated by USGS and include other strategies such as drip irrigation and adaptive reuse. ARH will be discussing the preliminary draft of the report with the PWT Committee at an upcoming meeting.

8. Pine, Basin & Oak Road Water Main Extension, Well Contamination (11-30138):

We have received an initial review from the Pinelands Commission which we are in the process of providing a response. The Solicitor is presently reviewing the grant agreement provided to the Town from the NJDEP.

At the last Council meeting, the Solicitor was authorized to address a letter to the NJDEP stipulating the Town's interest and intent to participate in the program so that the \$770,000.00± in grant funds could be set aside by the State.

9. **Hammonton Pyramid LLC (Lowe's) Shopping Plaza (11-20204):**
We provided the developer with a copy of the resolution granting a preliminary approval for water and sanitary sewer extension. We also provided the design engineer with a copy of the review comments for consideration and modification. We are awaiting the revised plans to ensure compliance with the review comments before having the Mayor and sign the NJDEP forms.
10. **Southwest Hammonton – Sanitary Sewer Service (11-50130.01):**
As authorized, our survey and environmental staff have begun research of available data within the project area, reviewed information provided from Schaffer, Nasir and Schiedegg and have begun the fieldwork within the project area. We discussed the initial contents of an agreement for cost sharing of project improvements with the Solicitor who prepared an initial draft agreement for discussion purposes.
11. **11th/Washington Street NJDEP Site Evaluation Block 2608, Lot 1 (11-01065.09):**
As authorized, we have begun the process to conduct the site evaluation and complete the testing required by NJDEP for the 11th Street site, along with completing the application to secure Hazardous Discharge Site Remediation Funds to seek reimbursement of monies expended to date for this work. We will keep Council informed of further progress.
12. **1.5 Million Gallon Water Storage Tank Painting (11-30136):**
As authorized we met with the painting consultant and Water Superintendent in preparation of the tank painting specifications. The initial draft has been prepared and reviewed by the Superintendent and a painting consultant who provided minor comments for consideration. We are in the process of making those revisions. Once completed we will conduct one last review with the Public Works and Transportation Committee and be ready to bid the project for a fall construction schedule.

PUBLIC WORKS – INFORMATION ITEMS

13. **Atlantic County Recreation and Open Space Funding Request Round 9 (11-01073)**
As authorized, we completed the Round #9 funding request application to Atlantic County for consideration. The application consisted of development fund requests for improvements at the Hammonton Lake Park and the Boyer Avenue Recreation site.
14. **NJDEP Environmental Services Grant – Recreation (11-01000)**
As authorized by the Mayor and Council we have prepared the report as required by the NJDEP associated with the Recreational Inventory and Needs Analysis for the Town. An initial report of findings and recommendations was submitted to the NJDEP for review and comment. We are awaiting the NJDEP review comments related to the initial submission. Once we receive comments we will meet with the Environmental Commission representatives to review same.
15. **Public Works Building (11-10100.108)**
The NJEDA, who will be constructing the State Office Building as well as the replacement NJDOT building, have provided their schematic to our office for the proposed NJDOT replacement facility. This schematic was used as base to discuss the Town's needs since the buildings will be similar. Use of the schematic furnished by NJDOT eliminated the need for the Town to engage the services of an architect. The goal is to identify the space requirements and further the discussion with NJEDA for the building and the sale of the Town's land.

A preliminary conceptual sketch has been created for the Public Works' needs with an approximate square footage. After some additional internal discussion the sketch will be forwarded to NJEDA for their comment. Also a meeting has been scheduled with the Pinelands to discuss the alternative sites for the Public Works facility.
16. **Myrtle Street Survey/Pinelands Inquiries (11-40025.02):**
We have completed a base line survey of the section of Myrtle Street and a portion of Pine Road as authorized by Council. We are scheduled to meet with the Pinelands Commission to discuss the potential roadway improvements in conjunction with their standards. We will keep Council informed of their comments. In plotting of the available data it was also observed that there will be a need to secure roadway easements from certain property owners in the area in order to complete the roadway and drainage improvements. We will keep the Public Works and Transportation Committee informed of further progress.
17. **Route #54/Front Street Stop Bar Location (11-01000):**
We are waiting for the report from the NJDOT investigator related to their findings and recommendations for the stop bar placement in the area of the above noted intersection. We will be contacting State again for an update so that we could recommend a resolution of this matter.

18. **Hammonton Lake Pesticide Treatment (11-90027-03):**
We are waiting for results of the NJDEP investigation of the pesticide application completed by Great Blue at the Hammonton Lake. It is our understanding that a recommendation for fine assessment has been established by the NJDEP. We will meet with the Hammonton Lake Water Quality Committee once we receive the report from the NJDEP. We will be contacting the State again for an update so that we could recommend a resolution of the contract with the applicator. We will review their findings with the Hammonton Lake Water Quality Committee prior to making a recommendation to Council.
19. **Gypsy Moth (11-01000):**
It is our understanding that the Solicitor has contacted the Sate regarding the Town's recommendation to decline from participating in the program. The Solicitor will provide an update to Mayor and Council regarding his conversation with the State.
20. **Vine Street / Second Street (11-40033)**
As requested by Town officials, this project is currently the number one design priority. It is currently planned to have the project advertised for bid sometime in the next few weeks.
21. **Central Avenue – Walkways (11-40027):**
Since the last reporting period we have met with the County Engineer related to this project. After discussing a number of design issues, we have a better handle on the County's requirements. However, we do not necessarily agree with all of the requirements (i.e. the need for a 30' clear zone from the edge of travel way to the walkway). We will be making a formal submission to the County related to this project and its potential affect on the roadway reconstruction project. We will discuss the options with the PWT Committee.
22. **Route 54/Bellevue Avenue Utilities (11-50120):**
We have met with the Downtown Advocate and Main Street Director to discuss the aesthetic options for this project. As discussed and as requested by the PWT Committee this project now has a revised schedule, with bidding and pre-construction activities taking place prior to August 25, 2008. Construction will be scheduled to commence on August 25, 2008 and be complete by November 14, 2008 (the Friday before Thanksgiving).
23. **Central Avenue Roadway Reconstruction Project (11-40027):**
As previously discussed this project has been placed on a winter work stoppage. It is anticipated we will hold a project meeting with the Contractor in the next few weeks, and barring unforeseen conditions we will notice the Contractor to proceed and complete the Contract. As of this reading, there should be a formal submission in to Atlantic County related to extra work required, such as curbing in select locations to allow for the construction of a future walkway.
24. **Boyer Avenue Recreation (11-50099):**
Green Acres Funding
There is an unexpended available loan balance of \$1,050,000.00 from the Green Acres Program. This originally was scheduled for use on Phase II activities. However, Phase II was funded by another funding source. In order to keep these funds available a schedule needs to be provided to Green Acres indicating what the funds will be used for and illustrate how they will be spent by the end of this year. This item will be discussed with the Parks & Recreation Committee in conjunction with Phase III design. A letter of intent to use the Green Acres funds and the project schedule must be sent to the Green Acres Program Coordinator as soon as possible.
- Phase III*
As of this reading, the drainage calculations should be complete. Minor revisions to the drainage report and to the plan set are currently underway. A submission to the Pinelands Commission should be made in early April. Additionally our office will be present at the next Parks & Recreation Committee meeting to discuss the status of the project.
25. **Eleventh Street Park Diversion (11-75002):**
It is our understanding that a sign needs to be placed on the existing site. The sign should indicate the intended diversion of the property. Green Acres will either be supplying the sign or the wording for the sign. Once obtained, we will review same with the Council representatives.
26. **Hammonton Lake Park (11-90028):**
Our office is nearly complete addressing the conditions that were stipulated in the Pinelands review letter. It is anticipated a resubmission to the Pinelands Commission will occur later this month. Originally, it was the goal to complete work during the off season. Unfortunately this goal will not be met this year; we will need to discuss a new strategy related to project schedule with the appropriate Committee ad recreation groups to either find a way to stage the work during the playing season or schedule to begin work at the end of the football season provided that all approvals are obtained and the funding allotments are established.

27. Fourth Street Reconstruction (11-40034):

It has been expressed that this project is of lesser priority at the present time. The NJDOT has set an award deadline of July 18, 2009. While preliminary work is complete, it is anticipated the construction phase of this project will not commence till either late this year or next year. It is our intent to complete the design and be ready to bid this project when Town Council gives the green light and the necessary funds to complete the work are in place. In plotting the available data, it should be noted that drainage easements will be required in certain locations in order to ensure maintenance of existing drainage pipe as it crosses private property. We will keep Council informed of further progress..

28. Redistribution of Atlantic County Open Space Trust Funds (11-01064):

We have received a letter from the County regarding their initial on-site inspection of the site. They have reported sighting of various debris deposited in the area. We have requested an on-site meeting with the County to further review their observations. If the Town is still interested in pursuing the purchase of this portion of the Harborwood Condominium property, we will need to prepare a cost estimate for the Town's consideration to complete the required environmental assessment, survey, subdivision plans, applications, deeds, etc. for the project. The Town should set aside funding to complete the work along with appraisals for the property. We will await Council's direction.

29. Well #6 Replacement, Hammonton Lake Park (11-01000)

It is our understanding the Town has been discussing the possibility for the installation of a new Well at the Hammonton Lake Park to service the onsite irrigation and capping the old Well #6 adjacent to the Lake near Egg Harbor Road. We will need to meet with the Public Works and Transportation Committee regarding any work required by ARH associated with this project.

30. Community Development Funds, 2006 ADA Curb/Walk Replacement, Washington Street Phase I Reconstruction (11-40026)

It is our understanding that the Town has received notice that funding was provided to the Town from the Atlantic County Improvement Authority (ACIA) for certain project improvements. The purpose of the grant was to complete the remaining portion of the ADA curb ramps within the Town along with the Phase I portion of Washington Street improvements which consists of roadway reconstruction and various other improvements extending between 12th Street/Route 54 to Orchard Street. We will review the conditions imposed by the funding program and advise Council and the PWT Committee on the requirements and deadlines for use of these funds.

31. Transportation Enhancements, Bellevue Ave-12th Street Improvements (11-40011):

The final quantities change order was approved last meeting. We have directed a letter to NJDOT seeking their approval on the final change order. We have received some formatting questions, and will be revising the form to match the federal requirements. No dollar figures should change; however we will need to obtain signatures again. Once NJDOT is satisfied on the format; we will be able to seek final reimbursement.

SOLICITOR REPORT

John Warren Landlord Registration Update
Subordination of NPP liens (Domenico)

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, authorize Mayor and Clerk to execute NPP lien (Domenico).

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Marino - Y
Petrongolo - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Rent Control
DEP fine for stormwater drainage \$7500.00

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, authorize a purchase order for DEP fine \$7500.

ROLL CALL

Councilpersons:
Barberio - Y

Bertino - Y
Marino - Y
Petrongolo - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Authorize Bid – Demolish Old Town Hall

Motion by Mayor DiDonato, seconded by Councilman Wuillermin, authorize bid for demolition of old town hall.
Motion carried.

Honoring Former Mayor's

Mayor DiDonato advised on research he did in response to inquires he received during the honoring of Mayor Anthony Ingemi. He advised that he found many fascinating historical events such as Mayor George Mortellite brought President Ronald Reagan to Hammonton, Mayor Barbera Berenato was the first female Mayor to serve in Hammonton and Mayor Russell Clark served 10 consecutive years as Mayor, that being the longest term of office. He asked council to expand on the resolution formerly adopted by council naming September 12th Anthony Ingemi Day to include all Mayor's.

Motion by Mayor DiDonato, seconded by Councilman Wuillermin, declare September 12th as "Mayor's Day" to honor all former Mayor's of Hammonton.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Marino - Y
Petrongolo - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

TOWN CLERK/ADMINISTRATOR ACTION ITEMS

1. Approve United Workers Union Telecommunicators Contract
2. Authorize School Susanne Oddo and April Maimone \$244.00
3. Authorize Advertise Lifeguard \$12.00 per hour
4. Approve copier lease Kyocera
5. Hire 2 temporary part time laborers Gene Rossi & Mike Mariano \$12.50 hr. each

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, town clerk action items be approved with amendment to #3 to only reach out to swim club at this time and do not include an hourly rate per Councilman Barberio recommendation.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Marino - Y
Petrongolo - Y
Vitalo - Y
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

TOWN CLERK/ADMINISTRATOR INFORMATIONAL ITEMS

Report on JIF safety awards

APPROVAL OF TRANSFER RESOLUTIONS & BILLS LIST

#R041B-2008 Transfer Resolution

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

BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, that there be and hereby is authorized the following transfers from the budget appropriations for the year 2007:

| | |
|---------------------------------------------------------|------------|
| FROM: IN CAP Admin OE (7-01-20-101-231) | \$2,572.85 |
| FROM: IN CAP Collections of Tax OE (7-01-20-105-200) | \$1,421.49 |
| TO: IN CAP Legal OE (7-01-20-106-218) | \$3,994.34 |
| FROM: IN CAP Planning Board OE (7-01-21-109-219) | \$2,000.00 |
| FROM: IN CAP Public Blds/Grds (7-01-26-108-200) | \$1,700.00 |
| TO: IN CAP Highway OE (7-01-26-123-24c) | \$3,700.00 |

APPROVAL BILL LIST/PAYROLL/OVERTIME-ATTACHED

Revenue Report & Budget Balance Report in Agenda Packets and given to Dept Heads

Motion by Councilperson Bertino, seconded by Councilperson Barberio, approve transfer resolution and bill list.

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS ACTION ITEMS

1. Request Easter Services Veteran Park 3/23/08 (insurance approved)
2. Approve Sal Jacobs III Fire Co. 2 member

Motion by Councilperson Vitalo, seconded by Councilperson Petrongolo, approve communications action items.

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS INFORMATION ITEMS

1. NJ DOT responding of placement of "Stop Ahead" signs approaches of Chew Road/Rt. 54
2. Petition requesting M&C to reconsider Gypsy Moth Spray Program
3. From Atlantic County re: Automatic Positioning & Reporting System
4. From Comcast advising of new channel line up including local channel 13 becoming channel 9

Councilman Bertino requested to respond to Gypsy Moth petition.

Mayor DiDonato, Councilman Wuillermin, Councilman Barberio recused themselves from this discussion.

Councilman Bertino continued that he has received requests from various citizens concerning Gypsy Moth

Spray program. Firstly Councilman Bertino defined proposed areas to be sprayed. Further, at the February council meeting, those members of council who voted to decline the Gypsy Moth Spray program due to the change in amount of spray have since received several citizen complaints. Councilman Bertino in turn contacted the State in an attempt to re enter the program. We have received paperwork responding that the Town of Hammonton cannot participate in the spray program at this time. However, Councilman Bertino would like another request to re enter program sent on behalf of governing body.

Motion by Councilman Bertino, seconded by Councilperson Vitalo, request town be placed back in the Gypsy Moth program and waive reimbursement, clerk to forward letter.

Councilman Vitalo responded that his vote last meeting to withdraw from Gypsy Moth Program was a judgement call that he still feels comfortable with however he also hears the residents and wishes to accommodate their needs.

Councilman Marino concurred and stated he will be meeting with officials from state in hopes to become part of the Gypsy Moth Spray Program again.

Councilwoman Petrongolo stated she has a letter from Mr. Zoltowski of the State who informs the town that we cannot enter back into the program at this time and questioned if Mr. Bertino has spoken to someone since this letter was received by the Clerk/Administrator today?

Councilman Bertino responded he did not speak to anyone since the Clerk/Administrator received Mr. Zoltowski's letter but feels a letter from the entire governing body may achieve a positive response from the State.

The Clerk questioned Councilman Bertino who does he want her to send the new letter to?

Councilman Bertino responded to forward letter to Mr. Zoltowski again.

ROLL CALL

Councilpersons:

- Barberio - recused
- Bertino - Y
- Marino - Y
- Petrongolo - recused
- Vitalo - Y
- Wuillermin - recused
- Mayor DiDonato - recused

Per Solicitor opinion Councilman Bertino declared the motion carried.

REPORTS-February 2008

- Town Clerk
- Registrar
- Construction Official

NEW BUSINESS-ORDINANCES

Ordinance #009-2008 Repeal Donated Leave Program

ORDINANCE # 9-2008

AN ORDINANCE REPEALING CHAPTER 48-10
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
"DONATED LEAVE PROGRAM"

WHEREAS, Mayor and Council have concluded that the purposes for which Chapter 48-10 were created no longer exist due to the "Family Medical Leave Act" and further that employees of the Town of Hammonton receive 15 sick days per year which are allowed to be accumulated.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that Chapter 48-10 of the code of the Town of Hammonton be repealed; and

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

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

Solicitor advised this will not affect anyone who is currently on the program.

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #010-2008 Amend Chapter 48-15 employee covered by health benefits

ORDINANCE # 10-2008

AN ORDINANCE AMENDING CHAPTER 48-15
 OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
 "Employees to be covered" by health benefits

WHEREAS, Mayor and Council have discussed and agreed upon an amendment to Chapter 48-15 that would exclude the Mayor and members of Council from receiving health benefits from the Town of Hammonton; and

WHEREAS, Mayor and Council have discussed and agreed upon an amendment to Chapter 48-15 that would exclude the Mayor and members of Council from receiving the health benefits buyout from the Town of Hammonton.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, Chapter 48-15 of the Code of the Town of Hammonton be amended as follows:

The Town of Hammonton shall provide coverage to those employees that are considered full time only, **excluding elected officials**. All terms and conditions of coverage shall be specified in the appropriate employee contract. Employees that obtain full time status shall be provided coverage as soon as practicable, taking into consideration the requirements of the medical insurance provider. If an employee is already covered by virtue of an insurance plan offered by an employer other than the Town of Hammonton or by the employee's spouse's employer, or otherwise, the employee may elect to waive the Town's insurance benefit plan and may elect compensation in lieu of benefits as permitted by the New Jersey Health Insurance Plan. **Elected officials are also excluded from the election of compensation in lieu of benefits.**

BE IT FURTHER RESOLVED that the disqualification of elected officials from electing compensation in lieu of benefits shall be effective January 1, 2008; and

BE IT FURTHER RESOLVED that the disqualification of elected officials from Town of Hammonton health insurance coverage shall be effective January 1, 2009; and

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

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

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #011-2008 Repeal Chapter 6 Shade Tree Commission

ORDINANCE # 11-2008

AN ORDINANCE REPEALING ARTICLE I, CHAPTER 6

OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
"SHADE TREE COMMISSION"

WHEREAS, Mayor and Council have concluded that the purposes for which Article I, Chapter 6 were created no longer exist due to the services being provided by State and County agencies in the absence of a local Shade Tree Ordinance and Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that Article I, Chapter 6 be repealed; and

BE IT FURTHER RESOLVED that all property from the curblineline to the house/structure be the homeowner's responsibility and such responsibility to include safety, upkeep/maintenance and tree removal; and

BE IT FURTHER RESOLVED that the property owner must still receive approval for all tree removal requests on his/her property from the Town of Hammonton Environmental Commission as per Article II, Chapter 267 "Tree Preservation and Maintenance," and

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

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

Councilman Vitalo questioned Mayor's presentation of a zero tax increase and then charging citizens for services that were formerly at no cost to taxpayer?

Councilman Bertino questioned how do you tell citizens on municipal roadways to remove trees themselves and noted several of the trees were planted by municipality.

Councilman Wuillermin reminded Councilman Bertino of the time when the town would replace sidewalks. This is the same type of issue that helps to consolidate and clear up confusion for those who do not know where to go for tree removal. If you look at revenue and expenditure of Shade Tree budget through the years we are removing many trees and replacing none. It also alleviates the town from being sued, as is the same with sidewalks being the responsibility of the property owner. This measure places the onus on the property owner.

Solicitor explained the legalities of protecting the town.

Mayor DiDonato advised in his opinion all trees previously approved for removal by Shade Tree Commission should be removed. He requested the list given to council by Mr. Jose Diaz be made part of the record and part of the motion.

ROLL CALL

- Councilpersons:
- Barberio - Y
- Bertino - N
- Marino - N
- Petrongolo - Y
- Vitalo - N
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Grandfather in for removal attached list of trees approved by Shade Tree Commission
(see insertion in minute book)

Motion by Councilman Wuillermin, seconded by Councilman Marino, the list provided by Mr. Diaz this evening be approved and grandfathered in for removal.

ROLL CALL

- Councilpersons:
- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #012-2008 Amend Chapter 74 False Alarm Violations & Penalties

ORDINANCE # 12-2008

AN ORDINANCE AMENDING ARTICLE I CHAPTER 74
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
"False Alarm Violations and Penalties"

WHEREAS, Mayor and Council have discussed and agreed upon an amendment to Article I Chapter 74-4 as follows:

74-4 Violations and penalties

First offense – warning with no fine or court appearance required

Second offense - \$25.00 fine and no court appearance required

Third offense - \$50.00 fine and no court appearance required

Fourth or subsequent offense - \$50.00 fine with mandatory court appearance

74-5 terms defined

A "second offense," "third offense," or "fourth offense or subsequent offense," shall be defined as any false alarm which occurs within a 12 month period from a first offense.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that Article I Chapter 74-4 be amended.

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Ordinance #013-2008 Amend Chapter 241 Trash with amendment to #4 and #8

ORDINANCE # 13-2008

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 241
OF THE CODE OF THE TOWN OF HAMMONTON

WHEREAS, Mayor and Council have discussed and agreed upon an amendment to various sections of Chapter 241 as follows:

241-6 Appliances prohibited Section B

All prepaid refrigerant items, for which a \$10 prepaid permit was obtained from the tax collector's office, will be disposed of at the Hammonton Convenience Station by the owner of the appliance. **Refrigerant items will no longer be picked up at curbside.**

241-19 Responsibility for collection and disposal Section A

Every residential user placing garbage, **(which shall expressly not include paper, ashes and rubbish)**, for collection from, on or in connection with residential property or a residential unit, which property shall be within

the boundaries of the Town of Hammonton, may have such collection and removal provided by the Town of Hammonton, subject to the rules and regulations set forth herein.

241-20 Preparation for collection of approved containers (toters); interference

(1) **Appropriate containers (known as toters) shall be provided by the Town. The town shall provide and pick up from each residential unit a maximum of two containers (toters). Containers shall be maintained by the residential owner in a clean, safe and good condition. In the event replacement of a toter is necessary prior to a community-wide toter replacement, it shall be the responsibility of the homeowner to bear the cost of same. Containers shall be placed a minimum of 4 feet from vehicles, mailboxes, recycling containers, other containers (toters) or any other obstruction that will interfere with the automated trash truck's ability to safely and properly access the toter.**

(2) **The collector shall have the authority to refuse collection services for failure to comply with the provision hereof.**

4) **All grass, weeds, hedge and shrubbery clippings and similar growths shall be placed in a biodegradable bag so that they may be readily collected by the municipal collection vehicle, on the first full week of each month.**

(8) **Brush & tree trimmings shall not exceed 5' lengths and must weigh less then 30 pounds. Pickup by the town's chipper truck shall be the first full week of each month.**

(9) **Household furniture will be accepted at the town's convenience station. However, the town reserves the right at any time to modify the items accepted by posting at the entrance to the convenience center.**

(11) **Large bulky items, including, but not limited to, refrigerators, stoves, beds and crates, will be accepted at the town's convenience station. However, the town reserves the right at any time to modify the items accepted by a posting at the entrance to the convenience center.**

(12) **Lumber, shingles, wallboard or other building material or debris will be accepted at the town's convenience station. However, the town reserves the right at any time to modify the items accepted by positing at the entrance to the convenience center.**

(16) **Paper or plywood drums will no longer be collected by the municipality.**

(24) **When a residential user elects to clean up accumulated refuse from cellars, back yards, alleys, attics and spare rooms and excess furniture, it shall be the obligation of the residential user to transport the debris to the town's convenience station. These items will not be picked up at curbside. However, the town reserves the right at any time to modify the items accepted by posting at the entrance to the convenience center.**

241-34 Leaves

All persons within the municipality shall separate leaves from other solid waste generated at their premises and, unless the leaves are stored or recycled for composting or mulching on the premises or as otherwise provided for by the municipality, place the leaves at the curb or other designated area for collection at such times and dates and **bagged in bio-degradable bags** per the municipality's recycling regulations.

241-44 Purpose be repealed in its entirety

241-45 Fees imposed; stickers; application and use be repealed in its entirety

241-46 Construction waste be repealed in its entirety

241-47 Senior citizen discount be repealed in its entirety

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that above sections of chapter 241 be amended/repealed; and

BE IT FURTHER RESOLVED that this ordinance shall take effect June 7, 2008 to allow for one final full week of bulky pickup (first full week of month on residents trash day) and to enable residents to make necessary arrangements to accommodate this ordinance amendment; and;

BE IT FURTHER RESOLVED that if a portion, section, subsection, paragraph, or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any other part thereof.

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

Councilman Vitalo once again disputed this ordinance as some residents do not have the financial means to take these items to the transfer station.

Councilman Bertino addressed some concerns such as biodegradable bags, disposal of bags and farmers acceptance of same, wet bags and breakage. He also has a problem with non bulky waste pickup services provided as some residents do not have vehicles to bring items to transfer station.

Mayor DiDonato responded that the Highway Superintendent has reached out to farmers who receive leaves from town and they are ok with the bio degradable bags.

Councilman Wuillermin also advised that some people are consistently non compliant with this issue and there are large piles of bulky trash all over town at all times of the month. He also has a problem with our employees lifting this bulk and the potential of back injuries which affect our worker comp loss.

A lengthy discussion was held with different points of view being heard.

Councilwoman Petrongolo suggested that maybe we can phase this new trash removal program in with an effective date of 7/1/08 and maybe stock the biodegradable bags at highway department for those who may no know where to obtain same.

Councilman Wuillermin and Councilman Barberio amended their motion to include an effective date on ordinance of June 6, 2008 to include the entire first full week of June as the last bulky pickup week before ordinance takes effect.

Mayor DiDonato stated he does not look at this as a financial savings but rather an aesthetic issue.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - N

Marino - N

Petrongolo - Y

Vitalo - N

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Five Minute Recess

Mayor DiDonato called a five minute recess.

Ordinance #014-2008 Establish Chapter 217-25 Partial Repeal Rent Control

ORDINANCE # 14-2008

AN ORDINANCE ESTABLISHING CHAPTER 217-25
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
"RENT CONTROL"

WHEREAS, Mayor and Council have concluded that the provisions of the current Rent Control ordinance of the Town of Hammonton need to be updated;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that Chapter 217-25 Partial Repeal be established as follows:

The provisions of this ordinance (Chapter 217:Rent Control) shall no longer apply to any lease or rental agreement entered into on or after the effective date of this amendment. Those leases and rental agreements shall hereinafter e known as Market Leases and/or Market Rental Agreements, as appropriate, and rents established thereunder shall no longer be limited by the provisions of Chapter 217. Any leases or rental agreements in existence prior to the effective date of this amendment shall continue to be subject in all respects to the provisions of Chapter 217. However, upon the termination of occupancy by a tenant whose rent was previously governed by Chapter 217, the rental cap formerly provided by Chapter 217 shall cease to exist.

Councilman Bertino questioned the wording.

Solicitor explained the wording.

Councilman Bertino stressed that eliminating the rent control board does not eliminate the renters who are grandfathered in and have numerous complaints and problems that the Quality of Life will have to take on.

A discussion of council was held concerning various options and opinions on this proposed ordinance and the ramifications of adoption of same.

Solicitor advised Plymouth Place and Silver Terrace are restricted from this ordinance.

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

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - N
Marino - N
Petrongolo - Y
Vitalo - N
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Ordinance #015-2008 Establish Chapter 6-33A Rent Control Board

ORDINANCE # 15-2008

AN ORDINANCE ESTABLISHING CHAPTER 6-33A
OF THE CODE OF THE TOWN OF HAMMONTON ENTITLED
"BOARDS, COMMITTEES AND COMMISSIONS"

WHEREAS, an amendment to the current Rent Control Board is required;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, that Chapter 6-33A Rent Control Board be established as follows:

The Rent Control Board established by Ordinance 2-1976 on March 8, 1976 shall cease to exist at midnight on December 31, 2008 (the termination date). After the termination date, the functions previously performed by the Rent Control Board shall be performed by the Council committee known as the "Quality of Life Committee". Between the date of approval of this amendment and the termination date, the Rent Control Board shall continue to function at those meetings where it has a quorum. In those circumstances where it is unable to muster a quorum, the Quality of Life Committee shall be authorized to act in its place and stead.

Motion by Councilperson Barberio, seconded by Councilperson Petrongolo, the ordinance be taken up for and pass first reading (with amendment allowing current secretary to remain on as a liaison) and given legal publication.

Councilperson Vitalo questioned what happens with current rent control board if a quorum does not exist?

Solicitor advised the problem is referred to Quality of Life.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - N
Marino - N
Petrongolo - Y
Vitalo - N
Wuillermin - Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R042-2008 Accept Atlantic Co JIF Loss Control Program (actual program in agenda packets)

RESOLUTION NO.42-2008

Town of Hammonton
County of Atlantic
State of New Jersey

RESOLUTION ACCEPTING AND ADOPTING THE ATLANTIC COUNTY
MUNICIPAL JOINT INSURANCE FUND - LOSS CONTROL PROGRAM

WHEREAS, the Town of Hammonton is a member of the Atlantic County Municipal Joint Insurance Fund (ACMJIF); and

WHEREAS, it is the policy of the ACMJIF to achieve the best and most practical degree of freedom from accidents an/or injuries; and

WHEREAS, the ACMJIF endeavors to ensure that all of their member's employees, volunteers and public are provided with a safe and healthy environment free from any recognized hazards; and

WHEREAS, the ACMJIF has established a Loss Control Program which should succeed in providing a safe, healthful and pleasant environment; and

WHEREAS, the Fund Commissioner has reviewed the Loss Control Program and has recommended its adoption.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey that the Atlantic County Municipal Joint Insurance Fund - Loss Control Program be adopted.

Listed here only for numerical purposes #R043-2008 Transfer Liquor License Vision Property to Trinity Vintners (previously approved under Dispense With Regular Order of Business)

#R 043-2008

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0113-33-013-016;

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

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

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

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the **person to person transfer of the aforesaid Plenary Retail Consumption License from Vision Property Group LLC to Trinity Vintners Investment Holdings LLC t/a Annata**, and does hereby direct the Town Clerk to endorse the license certificate to the new ownership as follows: "this license, subject to all its terms and conditions, is hereby transferred to Trinity Vintners Investment Holdings LLC effective 3/17/08.

#R044-2008 Salaries Telecommunicators

#R 044 - 2008

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council; and

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

EFFECTIVE APRIL 8, 2006

| <u>NAME OF EMPLOYEE</u> | <u>TITLE</u> | <u>2006 TOTAL</u> |
|-------------------------|-------------------|-------------------|
| Teresa Bradbury | Pub Safety Telec. | 44,035.00 |
| Dean Humphries | Pub Safety Telec. | 43,635.00 |
| Santo Ciruolo | Pub Safety Telec. | 43,635.00 |
| Paul Sacco | Pub Safety Telec. | 43,335.00 |

Linda Martinelli Pub Safety Telec. 29,435.00

Hourly rate for 2006 will be at the discretion of the Police Chief

EFFECTIVE JANUARY 1, 2007

| <u>NAME OF EMPLOYEE</u> | <u>TITLE</u> | <u>2007 TOTAL</u> |
|-------------------------|-------------------|-------------------|
| Teresa Bradbury | Pub Safety Telec. | 45,570.00 |
| Dean Humphries | Pub Safety Telec. | 45,170.00 |
| Santo Ciralo | Pub Safety Telec. | 45,170.00 |
| Paul Sacco | Pub Safety Telec. | 44,870.00 |
| Linda Martinelli | Pub Safety Telec. | 30,870.00 |

Hourly salary for 2007 will be at the discretion of the Police Chief.

EFFECTIVE JANUARY 1, 2008

| <u>NAME OF EMPLOYEE</u> | <u>TITLE</u> | <u>2008 TOTAL</u> |
|-------------------------|-------------------|-------------------|
| Teresa Bradbury | Pub Safety Telec. | 47,170.00 |
| Dean Humphries | Pub Safety Telec. | 46,770.00 |
| Santo Ciralo | Pub Safety Telec. | 46,770.00 |
| Paul Sacco | Pub Safety Telec. | 46,470.00 |
| Linda Martinelli | Pub Safety Telec. | 32,370.00 |

Hourly salary for 2008 will be at the discretion of the Police Chief.

EFFECTIVE JANUARY 1, 2009

| <u>NAME OF EMPLOYEE</u> | <u>TITLE</u> | <u>2009 TOTAL</u> |
|-------------------------|-------------------|-------------------|
| Teresa Bradbury | Pub Safety Telec. | 48,835.00 |
| Dean Humphries | Pub Safety Telec. | 48,435.00 |
| Santo Ciralo | Pub Safety Telec. | 48,435.00 |
| Paul Sacco | Pub Safety Telec. | 48,135.00 |
| Linda Martinelli | Pub Safety Telec. | 33,935.00 |

Hourly salary for 2009 will be at the discretion of the Police Chief.

Resolution #R045-2008 Approve Spanish Community Good Friday Procession

RESOLUTION # 45-2008

RESOLUTION AUTHORIZING AND ENDORSING
THE ANNUAL "SPANISH COMMUNITY GOOD FRIDAY PROCESSION"

WHEREAS, St. Joseph's Church continues to promote the Town of Hammonton with their annual "Spanish Community Good Friday Procession" procession; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. Joseph Church; and

WHEREAS, **Friday, March 21, 2008, at 3:00 p.m.** is the scheduled date for the Spanish Community Good Friday Procession; and

WHEREAS, St. Joseph Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for stations of the cross and procession:

- From St. Joseph Church (N. Third St.) to French Street
- Right onto Packard Street
- Right onto Pleasant Street
- Right onto N. Third Street
- Return to Church (N. Third Street)

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Spanish Community Good Friday Procession is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. Joseph Church as required by the Town of Hammonton.
2. Filing of required State and County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R046-2008 Approve Tri Vet Memorial Day Parade

RESOLUTION # 46 -2008

RESOLUTION AUTHORIZING AND ENDORSING
THE ANNUAL "TRI VET MEMORIAL DAY PARADE"

WHEREAS, the Tri Vets continue to promote the Town of Hammonton with their annual "Tri Vet Memorial Day Parade"; and

WHEREAS, Mayor and Council continues to support the efforts of the Tri Vets; and

WHEREAS, May 26, 2008 is the scheduled date for the Tri Vet Memorial Day Parade and Ceremony beginning at 10:30 a.m.; and

WHEREAS, the Tri Vets have requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following street in the Town of Hammonton during the parade from 10:30 a.m. to 11:00 a.m.:

Bellevue Avenue (Rt. 54) from Tilton Street to Railroad Avenue

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Tri Vet Memorial Day Parade is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

Filing of required State written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R047-2008 Temporary Emergency Budget ½ year 2008 (procedural)

RESOLUTION # 47-2008

Resolution of the Mayor and Common Council of the Town of Hammonton,
County of Atlantic, State of New Jersey, making temporary emergency appropriations
for the Current Fund, Water , Sewer Utilities and NPP Grant

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

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

Now, Therefore Be It Resolved by the Mayor and Common Council of the Town of Hammonton, New Jersey, that the following temporary emergency appropriations are hereby made:

#R048-2008 Accept Green Communities Grant

RESOLUTION: # 48 -2008

RESOLUTION ACCEPTING THE 2008 GREEN COMMUNITIES GRANT

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey wish to accept the grant for 2008 Green communities in an amount not less than \$3,000.00 offered by the NJ DEP, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that:

1. Mayor and Town Clerk are hereby authorized to execute any and all agreements or other documents associated with this grant application.

#R049-2008 Authorize Extension of Tax Due Date At Business Administrator Discretion

#R 49-2008
R E S O L U T I O N

WHEREAS, in anticipation of the move to the new town hall there may exist a need to extend the

quarterly tax due date; and

WHEREAS, authorization of extension at the April 28th council meeting would not allow sufficient time to inform the taxpayers of the extension;

NOW THEREFORE BE IT RESOLVED by Mayor and Council of the Town of Hammonton to authorize the extension of the quarterly tax due date, if necessity arises, for a maximum of 10 days at the discretion of the Business Administrator.

#R050-2008 Tax Resolution March

#R 50-2008

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved the following credits, transfers, cancellations, refunds, and/or changes to the accounts listed below:

| BLOCK & LOT | NAME | PER | AMOUNT | ACCT. | REASON |
|---------------|-----------|-------|-------------|-------|-----------------------------------------------|
| 3919-106 | Tzaferos | Jimmy | \$ 270.77 | Water | Remove excess meter clock wrong |
| 3919-100 | Tidwell | Jimmy | \$ 469.80 | Water | Remove excess meter clock wrong |
| 3919-100 | Tidwell | Jimmy | \$ 1,041.40 | Sewer | Remove excess meter clock wrong |
| 2507-10 SUB 1 | Rodi | Jimmy | \$ 3,646.63 | Sewer | Remove excess reading error |
| 2507-10 SUB 1 | Rodi | Jimmy | \$ 11.85 | Sewer | Correct excess put on billing |
| 2507-10 SUB 1 | Rodi | Jimmy | \$ 2,674.43 | Water | Remove excess reading error |
| 1202-20 | Spencer | Rosie | \$ 122.64 | Sewer | Refund Fidelity Tax LLC |
| 4122-7 | Figueroa | Rosie | \$ 799.60 | Sewer | Remove excess meter broken |
| 1701-6 | Cirillo | Rosie | \$ 1,065.68 | Tax | Refund overpayment made by Settlement Funding |
| 2416-17 | Galli | Jimmy | \$ 2,702.40 | Water | Remove excess reading error |
| 2416-17 | Galli | Jimmy | \$ 532.44 | Water | Correct excess put on billing |
| 2302 1-C0014 | Travis | Rosie | \$ 200.00 | Sewer | Posing error Tran to 2302-1C001U Malgieri |
| 2507-10 SUB 1 | 425 Assoc | Rosie | \$ 1,268.97 | Water | Refund overpayment |
| 2507-10 SUB 1 | 425 Assoc | Rosie | \$ 1,561.47 | Sewer | Refund overpayment |
| 3904-10 SUB 1 | Pentel | Rosie | \$ 800.00 | Sewer | Tran payment to 3904-10 |

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton authorize and direct the tax collector to take the above said action.

#R051-2008 Endorse Sewer Extension AN Construction

RESOLUTION # 051-2008

RESOLUTION ENDORSING PRELIMINARY APPROVAL TO AN CONSTRUCTION LLC FOR EXTENSION OF SANITARY SEWER TO SERVICE THE PROPOSED 19-LOT SUBDIVISION

WHEREAS, AN Construction LLC, from 205 Philadelphia Avenue, Egg Harbor City, NJ, made application to the Town of Hammonton for sanitary sewer extension for a project located adjacent to Third Street designated as Lots 10, 11.01, 11.02, 11.03 and 12 in Block 2201 on the Tax Map of the Town of Hammonton; and

WHEREAS, the proposed project consists of the construction of approximately 950 linear feet of sanitary sewer main to service a nineteen (19) single family home major subdivision; and

WHEREAS, the Town of Hammonton Planning Board has granted preliminary and final major subdivision approval for the project subject to compliance with a number of conditions noted at their meeting held on February 6, 2008 and memorialized in an approval resolution on February 20, 2008; and

WHEREAS, the applicant is desirous to obtain the necessary approvals from other outside reviewing agencies as noted in the Planning Board's conditions of approval; and

WHEREAS, the design consultant for AN Construction, LLC has made application to the Town of Hammonton to seek an endorsement from the Mayor and Town Council for the submission to the NJ Department of Environmental Protection for the proposed sanitary sewer extension improvements required by the project as noted on the design plans, specifications and NJDEP forms; and

WHEREAS, the design information and plans have been reviewed by the Town Engineer, along with the Sewer Superintendent noting a request for certain modifications to the project design plans through the generation of a report forwarded to the design consultant; and

WHEREAS, the above noted Town Engineer's report has been reviewed with the Town's Public Works and Transportation Committee; and

WHEREAS, the proposed sanitary sewer extension is consistent with the Town's Utility Master Plan; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton of the County of Atlantic, State of New Jersey that the Mayor is hereby authorized to execute the NJDEP, TWA documents that are associated with the endorsement of the application for sanitary sewer extension to the NJDEP subject to compliance with the conditions noted in the Engineer's Report and the items noted by the Town's Public Works and Transportation Committee, the Utility Superintendent, and the Town Solicitor; and

BE IT FURTHER RESOLVED that the applicant's design consultant must complete all plan revisions as noted in the Town Engineer's report prior to completing the formal submission to the NJDEP; and that a copy of the completed revised submission to NJDEP must be provided to the Town Engineer; and

That once all permits and approvals are obtained from the NJDEP that the applicant will be required to return to the Mayor and Town Council of the Town of Hammonton to seek final approval of the proposed utility improvements prior to the start of any onsite or offsite utility installation.

Motion by Councilperson Wuillermin, seconded by Councilman Bertino, resolutions 42 thru 51 be adopted and with amendment to 47 temporary emergency budget encompassing ½ year (43 was taken up under Dispense).

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R052-2008 Endorse Sewer Ext WHP, Moss Mill Road and Boyer Ave.

#R 052-2008

Resolution Endorsing the Application for Sanitary Sewer Extension for the White Horse Pike, Moss Mill Road and Boyer Avenue Project

WHEREAS, the Mayor and Town Council is desirous to provide for the extension of sanitary sewer along the White Horse Pike, Moss Mill Road and Boyer Avenue property frontages; and

WHEREAS, the Town Engineer's office has been authorized to prepare the necessary design plans, specifications and permit applications to allow for the construction of said sanitary sewer main improvements ; and

WHEREAS, the Town of Hammonton has received a favorable review from the Pinelands Commission in relation to said improvements; and

WHEREAS, the proposed sanitary sewer extension project is consistent with the Town's Utilities Master plan; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton of the County of Atlantic, State of New Jersey that the Mayor is hereby authorized to execute the NJDEP, TWA documents that are associated with the endorsement of the application for sanitary sewer extension to the NJDEP for the White Horse Pike, Moss Mill Road and Boyer Avenue project area.

Motion by Councilman Bertino, seconded by Councilman Barberio resolution 52 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y
Petrongolo - Y
Vitalo - Y
Deputy Mayor Wuillermin - Y
Mayor DiDonato – recused

Deputy Mayor Wuillermin declared the motion carried.

#R053-2008 Support Redevelopment Study Celona Property

R# 053-2008

Resolution Supporting a Redevelopment Study at the
Celona Property
(f.k.a., Sam’s Super Service Station)
130 Railroad Avenue
Block 2421, Lot 2.03
Hammonton, Atlantic Co, NJ

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, desires to undertake a preliminary investigation to determine whether the Celona Property identified as Block 2421, Lot 2.03, located at 130 Railroad Avenue (herein referred to as the “Property”) is an area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5; and

WHEREAS, the Governing Body of the Town of Hammonton have determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property; and

WHEREAS, the Town of Hammonton is applying for funding from the Hazardous Discharge Site Remediation Fund for the assessment and investigation of the Celona Property in order to determine the extent or the existence of any hazardous substance or hazardous waste; and

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 of Hammonton is committed to the redevelopment of the Celona Property for the purpose of returning the Property to a viable productive part of the community, which not only stimulates further economic growth but also protects the environment. Furthermore, the Town of Hammonton finds that a realistic opportunity exists for the redevelopment of the Celona Property within a three-year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

#R054-2008 Support Redevelopment Study Skinner

#R 054-2008

Resolution Supporting a Redevelopment Study at the
Skinner Property
(f.k.a., Skinner & Son Inc. Cut Glass Factory)
317 N. Egg Harbor Road
Block 2702, Lot 1
Hammonton, Atlantic Co, NJ

WHEREAS, pursuant to N.J.S.A. 40A:12A-6, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey, desires to undertake a preliminary investigation to determine whether the Skinner Property identified as Block 2702, Lot 1, located at 317 N. Egg Harbor Road (herein referred to as the “Property”) is an area in need of redevelopment according to the criteria set forth in N.J.S.A.40A:12A-5; and

WHEREAS, the Governing Body of the Town of Hammonton have determined that there has been, or it suspects that there has been, a discharge of hazardous substances or a hazardous waste on the Property; and

WHEREAS, the Town of Hammonton is applying for funding from the Hazardous Discharge Site Remediation Fund for the assessment and investigation of the Skinner Property in order to determine the extent or the existence of any hazardous substance or hazardous waste; and

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 of Hammonton is committed to the redevelopment of the Skinner Property for the purpose of returning the Property to a viable productive part of the community, which not only stimulates further economic growth but also protects the environment. Furthermore, the Town of Hammonton finds that a realistic opportunity exists for the redevelopment of the Skinner Property within a three-year period after the completion of the remediation of this site either through the planned redevelopment project, or through alternate redevelopment.

#R055-2008 Oppose Abolishment of DOA

#R 055-2008

RESOLUTION OPPOSING THE ABOLISHMENT OF THE
NEW JERSEY DEPARTMENT OF AGRICULTURE

WHEREAS, the Town of Hammonton in the County of Atlantic, State of New Jersey is an agricultural municipality which enjoys the quality of life and economic benefits from farms and farming; and

WHEREAS, the Town of Hammonton is an active participant in farmland preservation; and

WHEREAS, the State of New Jersey is nationally recognized as the Garden State and the New Jersey Department of Agriculture supports the farming profession with essential services for plant inspection and trade, animal health and transport inspection and promotion of Jersey Fresh" produce and organic certification; and

WHEREAS, the New Jersey Department of Agriculture develops the school nutrition guidelines and operates the federal school meal programs as well as emergency food purchase and distribution linking New Jersey farmers with nutrition programs; and

WHEREAS, the Governor Jon Corzine has initiated an effort to abolish the New Jersey Department of Agriculture as a cost cutting measure, that would result in no substantial savings to the taxpayers of the state while resulting in a reduction of services to the farms, farmers and citizens of New Jersey; and

WHEREAS, the Mayor and Council of the Town of Hammonton would not oppose reasonable cuts to the Department of Agriculture, but strongly believes that elimination of the Department would be senseless and a counterproductive step;

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 of Hammonton strongly opposes any effort to abolish the New Jersey Department of Agriculture as a cabinet level department and strongly supports the funding of the Department of Agriculture's essential programs.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor Jon Corzine and the Legislators in Districts 1, 2 and 9.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, resolutions 53-55 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVE LICENSE APPLICATIONS

St. Joseph RC Church (2 raffles) July 20, 2008

St. Joseph PTA (raffle) May 2, 2008

Rotary Club (ABC) April 11, 2008

Motion by Councilperson Bertino, seconded by Councilperson Petrongolo, license applications be approved. Motion carried.

Senior Citizen Prom Tuesday May 20 at HHS Cafeteria

Councilwoman Petrongolo reported on senior citizen prom.

Green Committee

Councilman Marino read the Green Committee Statement to the public and advised on different ideas the committee has proposed.

Councilman Barberio offered some suggestions on lighting and mulch as well.

Councilman Bertino questioned availability of funds for solar panels through electric company?

Councilman Marino advised they are researching same.

Motion by Councilman Marino, seconded by Councilman Vitalo, open discussion to oppose the payment of 131,821.00.

Mayor DiDonato questioned if the Town has to pay this fee?

Solicitor questioned Accountant if the town will have to pay this fee?

Accountant responded he would check with CFO.

Mayor DiDonato requested Solicitor to investigate as he feels by passing resolution we will actual have to pay the fee. Mayor feels the county is absorbing this fee.

Mayor and Council agreed that Solicitor e mail with Hammonton's response if we can do so with no harm to the town.

PUBLIC HEARD

John Bee

Mr. Bee advised Mayor and Council on his recollection of COAH and where the town now stands. He stated that he will not speak on his current lawsuit with the Town. He has been negotiating with town thru COAH and will have a court opinion in a short while. He filed suit when town did not support their re development zone. He advised that if town has to build more COAH housing it will affect our school system. His proposal would not. He once again reviewed his proposal to revitalize by building a senior citizen community on West End Avenue. He feels his development would have also aided Kessler Hospital funding. He is here to ask for Mayor and Council's support of his project one last time. He feels senior citizens will utilize businesses in the community as well. He is asking for some overture of consideration in the next five days. He's also decided to have the parking underneath the building as not to impact the roads. He thanked Mayor and Council for their time.

Approve #3 Communication Information Items Needing Approval

Motion by Councilperson Marino, seconded by Councilperson Bertino, approve communication information item #3 per Nick DeStefano, Computer Tech.

ROLL CALL

- Councilpersons:
- Barberio - Y
- Bertino - Y
- Marino - Y
- Petrongolo - Y
- Vitalo - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED 11:10 p.m.

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

Minutes prepared by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.