

Minutes  
REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
Monday, April 28, 2008 at 6:00 P.M.  
Minutes can be viewed at [www.townofhammonton.org](http://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

#R55A-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 Barberio, seconded by Councilperson Bertino, resolution 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

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.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Town Hall Update

Mr. Steve DiDonato updated Mayor and Council on status of new town hall and advised employees are preparing for the move mid week. He requested all final payments to vendors be approved by council committee prior to paying same. He thanked Nick DeStefano for his hard work and dedication with all technical aspects of the building.

Councilman Marino questioned has the swat van been placed in the sally port yet?

Mr. Steve DiDonato responded no. He advised town hall will be open for business on May 5 and the first meeting of town council will be held May 19.

2. Hearing Ordinance Donated Leave Time

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 Wuillermin, seconded by Councilperson Vitalo, the hearing be closed, the ordinance pass second reading and 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.

3. Hearing Ordinance Employees Covered By Health Benefits

Motion by Councilperson Bertino, 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 Wuillermin, seconded by Councilperson Vitalo, the hearing be closed, the ordinance pass second reading and 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.

4. Hearing Ordinance False Alarm Violations and Penalties

Motion by Councilperson Wuillermin, 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 Bertino, the hearing be closed, the ordinance pass second reading and 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.

5. Hearing Ordinance Rent Control

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

Councilman Vitalo once again stated he does not feel abolishing rent control board and ordinance will be beneficial to the renters of Hammonton.

Anthony Mortellite - Broadway

Mr. Mortellite advised council on a letter he received concerning renter/tenant dispute and described the matter in detail. He admitted he should not have been involved in this matter and stated he will continue to act in this capacity whether it's his job or not. He requested council to table the ordinance and investigate the need for it further.

Marcia Santos

Ms. Santos stated she was against this ordinance.

Solicitor advised that those now covered by rent control will continue to be covered by rent control so long as they reside in that unit, even if there is a new apartment owner (landlord).

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

6. Hearing Ordinance Rent Board

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

Councilman Vitalo advised the reason there is no quorum on rent control is because no one has been appointed to replace those who have resigned.

No one further desired to be heard.

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

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - N  
Marino - N  
Petrongolo - Y  
Vitalo - N

Wuillermin – Y  
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

7. Hearing Ordinance Shade Tree

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

Dr. Michael Hozik – Chair of Environmental Commission

Dr. Hozik stated he and his commission members feel shade tree commission serves a purpose and abolishing same will place more work on the Environmental Commission. He feels transferring responsibility of trees between curb and sidewalk to homeowner will lead to degradation of quality of those trees. He suggested council add an application fee and retain an arborist to investigate need for tree removal and make recommendation to Environmental Commission.

Jose Diaz – Shade Tree Commission Chairperson

Mr. Diaz advised Mayor and Council on time line of receipt of letter from county shifting responsibility of tree removal on county roadways to the Town of Hammonton.

Larry Delaney – 143 Broadway

Mr. Delaney advised this ordinance to him sounds like various levels of government shifting responsibility.

Solicitor advised the county clearly did not want to take responsibility for removing trees on county roadways. The practical answer is the county is not going to remove trees as long as the town retains a Shade Tree Commission. Solicitor also advised the homeowner is responsible already for damage to sidewalk caused by trees.

Mayor DiDonato advised if shade tree is abolished the county and state will take on the responsibility.

Councilman Bertino questioned if we place environmental commission as deciding party, does that not place the burden back onto the Town?

Mayor responded no because the Environmental approves tree removal by property owner, unlike Shade Tree who is responsible for approval and removal.

Mr. Delaney also requested Mayor and Council not go forward with the proposed ordinance concerning bulky and leave pick up even though he recognized this is not the hearing on same.

Councilman Wuillermin advised that they do have a budgeted line item to develop a shade tree plan as discussed by Dr. Hozik.

Angela Donio – Shade Tree Commission

Mrs. Donio advised when Councilman Marino was a chairperson she remembers discussing the county responsibility back then. She feels an expert is a great idea.

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

ROLL CALL

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

Mayor DiDonato declared the motion carried.

8. Hearing Ordinance Solid Waste

Councilman Wuillermin stated in light of the issues raised on this proposed ordinance he feels council should withdraw same for further investigation and place emphasis on holding the abusers accountable.

Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, **withdraw** solid waste amendment ordinance and bring back to committee for review.

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 DiDonato displayed pictures of the solid waste placed throughout Hammonton's curbside and on the roadway as well. He noted the solid waste is being placed out throughout the month rather than at designed times (first full week of month on homeowner trash day). He wanted the public to understand council's point of view. He emphasized something needs to be done to address the situation not only for aesthetic reasons but for safety reasons as well.

Designate Property Maintenance Official as Person to Address Offenders

Motion by Councilman Barberio, seconded by Councilman Wuillermin, designate code enforcement official as the party to enforce improper placement of bulky waste and advised the public to contact code official by dialing 567-4300 ext. 300 to report anonymously on bulky waste being placed out at the wrong time. Motion carried.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

9. Budget Preparation

Mayor DiDonato introduced Rob Scharle, CFO, and thanked him for attending meeting on budget discussion/review. Mayor handed out budget worksheets to council and advised on some of the changes made to the proposed 2008 budget. Mayor stated Gypsy Moth Program was placed back into the budget as well as Recreation Director, Sr. Clerk Typist Police Department, and Clerk Typist Tax Collector Office.

Mr. Rob Scharle, CFO, presented and advised on budget such as fund balance, surplus, reduction in state aid, increased mandated pension costs, to Mayor and Council and advised the budget is tight and advised that the state has imposed its financial burden onto municipalities.

Councilman Bertino questioned Mr. Scharle as CFO if he feels this is a workable budget?

Mr. Scharle stated he is concerned with funding for utilities in the new town hall building and the loss of state revenue. He advised we do not know until June 30 if the state will replenish funding to municipalities.

Councilman Bertino questioned debt service and bond rating?

Mr. Scharle responded AA, very good bond rating.

Councilman Bertino questioned if we are consistent with other municipalities in paying down debt?

Mr. Scharle responded yes we are, both utilities are very strong and self liquidating and we are meeting our debt obligations.

Mayor advised we are not authorizing additional debt in 2008 budget.

Mr. Scharle agreed with Mayor DiDonato in placing \$1 million in utilities for future projects. He also reviewed capital projects with council.

In closing, Mr. Scharle advised that there are only a few items such as grants that will need to be made part of this budget but this will not affect the budget.

Mayor DiDonato thanked Mr. Scharle and stated he has been a wealth of knowledge since the time he has been working with him.

Councilman Bertino concurred.

Mayor DiDonato opened the meeting concerning budget to the public.

Robert Klots – Grand Street

Mr. Klots stated he approached the tree commission for tree removal on Marlyn Avenue in July 2007. His understanding was that he was marked for removal and questioned when he can anticipate same since the trees are posing an issue for him.

Mayor DiDonato, referring to the list approved by council at the March meeting, stated Mr. Klots is on the list however the budget will not be adopted until June of 2008.

Councilman Wuillermin advised he will address this issue at the highway department level.

Councilman Vitalo suggested that Asplundh had previously advised that they can take down the tree beyond the wires and the town can take down the remainder as a cost savings technique.

Solicitor to forward a letter for tree removal applicant insurance purposes representing what town has discussed this evening.

Chief Frank Ingemi

Chief Ingemi thanked Mayor and Council for the addition of the police officer to the budget.

Larry Peterson

Mr. Peterson spoke on behalf of passing the budget and advised that Lou Rodio is detrimental to their youth program and the overall rec program. He also advised on this years 80's Event show Sept 11, 12, 13.

Larry Delaney – Broadway

Mr. Delaney questioned if budget passes what percent increase is it from current budget?

Mr. Scharle advised it is actually a decrease.

Authorize Preparation Budget Resolution

Motion by Councilperson Wuillermin, seconded by Councilperson Petrongolo, authorize preparation of budget resolution for next meeting and include rescinding layoff of 1 FT Sr. Clerk Typist Police Dept, 1 FT Clerk Typist Tax Collector Office, 1 Recreation Supervisor.

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 ORDER OF BUSINESS

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Motion by Councilperson Vitalo, seconded by Councilperson Barberio, approve minutes of regular meeting held 3/17/08 as recorded by the Clerk. Motion carried.

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

None

QUALITY OF LIFE-Councilman Barberio

Hammonton Lake Quality Advisory Committee letter (open lake bathing area summer 2008)

Motion by Councilperson Barberio, seconded by Councilperson Vitalo, open Hammonton Lake for bathing and advertise for lifeguard at \$12.00.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Letter (approve introduce artificial habitat structures into Hammonton Lake)

Motion by Councilperson Barberio, seconded by Councilperson Vitalo, authorize introduction of artificial habitat structures into Hammonton Lake at no cost to the taxpayer.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Open Space Round 8 Funding

Motion by Councilman Barberio, seconded by Councilman Wuillermin, to accept Round 8 funding recommendation of Park Commission Block 4204, Lot 28, Block 3505, Lot 11, Block 4009, Lot 5, 6 & 7, Block 4204, Lot 26 & 27, Block 3301, Lot 68, Block 4012, Lot 10. ARH to provide estimate.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

BUSINESS AND INDUSTRY-Councilwoman Petrongolo

Report April 17 Meeting  
 Mainstreet Business Network  
 Red White Blueberry Festival (Mainstreet bus tours of Hammonton)  
 Training Facility for Painters Union proposed in Hammonton

EDUCATION-Councilman Bertino  
 Update on proposed University Center in Hammonton  
 Board of Education Meeting

PUBLIC WORKS-Councilman Wuillermin  
 Report on Airport Advisory Board/Council Committee meeting  
 Award Contract Re paint water tower under Engineer Report and New Business  
 Pinelands, DEP, Adhoc Investigating Committee update on bio solids disposal at Turf Farm

LAW AND ORDER-Mayor DiDonato  
 Meeting concerning police dept budget

ENGINEER REPORT

SEWER & WATER – ACTION ITEMS

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

We revised the plans and provided a response to the Pinelands Commission regarding their comments. One of the conditions required by the Pinelands Commission was the need to complete a Cultural Resource Study for the portions of the project where we are crossing a wetlands area. We have requested three price quotes from consultants to provide the study requested by the Pinelands Commission. The following price quotes were obtained and reviewed with the PWT Committee:

- \$4,070.00 – R. Alan Mounier, Newfield, NJ
- \$4,800.00 – Cultural Resource Co., Highland Park, NJ
- \$5,383.00 – Richard Grubb & Assoc., Inc., Cranbury, NJ

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, award Cultural Resource Study to Alan Mounier of Newfield, NJ in the amount of \$4,070.00. The cost for this study will be deducted from the bond ordinance established for the project. A separate purchase order should be issued to Alan Mounier for the work and a copy provided to our office.

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. 1.5 Million Gallon Water Storage Tank Painting (11-30136):

We received bids for the painting of the 1.5 million gallon storage tank on Wednesday, April 23 at 10:30 a.m. Although three contractors picked up specifications for the project, only one bid was received for the project. The bid provided for Council's consideration was provided by Corrosion Control Corp. from Pedrickstown, NJ, whose total was \$183,460.00. Since this is a specialized field of work and the project falls within the project budget, we would recommend an award be made subject to the following conditions.

- 1. Review of the bid documents by the Town Solicitor.
- 2. Certification of funding availability from the CFO.

Refer to New Business for resolution of award.

PUBLIC WORKS – ACTION ITEMS

3. Atlantic County Open Space Trust Funds – Round 7 (11-01068):

We received a letter from the County requesting an update on the Town's pursuit to contact the owners of the following two sites and seek direction as to whether they are interested in selling the properties:

- A. Grand Street site, Block 3706, part of Lot 4
- B. St. Martin Church site, Block 3001, part of Lot 41

The contracts between the Town and Council will expire June 13, 2008. If the Town is still interested in pursuing acquisition of these two properties, a formal request for extension must be made. In any event, the Town must provide a response to the County by April 28 indicating the Town's desires related use of these funds for the above acquisition.

Solicitor to look into one final time before abandoning project.

4. **Vine Street / Second Street (11-40033):**

This project has been advertised for public bid. Bids were received and opened on April 23, 2008 at 10:00 a.m. Our office will review the various project alternates with the PWT Committee and have an award recommendation ready for this Council Meeting. Additionally we have prepared a proposal for our services to oversee the construction management for the project including additional design work completed to include the Town Hall parking lot construction within the project bid documents.

Refer to May 8 joint council meeting/ planning board meeting for resolution of award and certificate of availability of funds.

5. **Redistribution of Atlantic County Open Space Trust Funds  
Round 6 Walmer Street/Chestnut Street Properties (11-01064):**

We have met on-site with representatives from the County regarding their observation and concern of construction and related debris being deposited within the area of the old Wescoat Tract adjacent to the drainage ditch which discharges into the Hammonton Lake. We have taken photos of the area in question which notes the material deposited on the property some years ago. In order to provide a further investigation of the property and the material present within its limits, we seek authorization from Mayor and Council to first complete a Preliminary Assessment (PA) of this property and the adjacent parcels for the purpose of confirming the environmental integrity of same. The cost to complete the PA is estimated to be \$3,750.00, and would be completed in accordance with the State's criteria. This study should provide information to assist the Mayor and Council as to whether these properties should be considered for acquisition and if further testing will be required to make that determination.

No action taken.

6. **Boyer Avenue Recreation (11-50099):**

**Green Acres Funding**

As previously reported there is an unexpended available loan balance of \$1,050,000.00 from the Green Acres Program. Our office has been in an ongoing conversation with Green Acres related to this issue. As a result of the ongoing discussion, we will be drafting a letter to the Green Acres Program to address the following three issues:

1. Schedule to utilize the funding
2. Reasons for not using the funding on Phase II
3. Phase III scope of work

It has been expressed by Green Acres that the response to item number two should come directly from the Town. Our office will prepare an answer in our letter, but a letter from either the Mayor or perhaps the Solicitor on this issue, would better support the cause.

**Phase III**

The preliminary design plans are around 95% complete. We are almost ready to make a submission to the Pinelands Commission; however we can not make the submission without a Traffic Study. There was a proposal prepared by Horner and Canter, however it was never authorized. In order to proceed further, we will need this supporting documentation. We have attached a copy of the Horner and Canter proposal for consideration. It is presumed action on this proposal will be recommended by the Recreation Committee Chairman so that the project could move forward to obtain the required approvals.

Motion by Councilperson Barberio, seconded by Councilperson Wuillermin, approve Horner and Canter proposal dated June 1, 2007, totaling \$7,000.00 for the study required by the Pinelands Commission in order for this project for the development of the Phase III portion of the Boyer Avenue Recreation site to proceed.

**ROLL CALL**

Councilpersons:  
Barberio - Y  
Bertino - Y  
Marino - Y

Petrongolo - Y  
 Vitalo - Y  
 Wuillermin - Y  
 Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Request Issuance of Check to JPS

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize issuance of manual check to JPS for past due invoice that did not make it onto the April bill list and check run.

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

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

We are in the process of compiling the plans, specifications and NJDEP forms for the submission to the State in order to receive the necessary permits for the project. The solicitor is trying to obtain the necessary easements for the project so that the project can be bid as soon as the permits are obtained. We will keep Council informed of further progress.

8. Southwest Hammonton – Sanitary Sewer Service (11-50130.01):

As authorized, our survey and environmental staff have completed additional locations and elevations within the project area. We would hope to have a base plan so the design can begin shortly. We are still waiting for one response from one of the property owners in the area in order to seek permission to file an application that would include extension of sanitary sewer across their property. We will keep Council informed of further progress.

We have also reviewed the revised agreement between the Town and Mortellite Family Partnership associated with cost sharing for the proposed sanitary sewer master plan improvements for the area. It is our understanding the revised version has been forwarded to the property for review and comment.

9. Well #5-#7 (11-30139.03):

Well #7 has been completed and sampling has been performed by NJDEP. Most test results are in but a few are pending. Information required by NJDEP to issue permission to operate was sent on April 21, 2008. It is likely that the permit to operate could be received by mid May. Once Well #7 can be used, the rehabilitation of well #5 will be scheduled.

As for the Lincoln Street complex, the equipment that was delivered last month has been installed. We are in the process of scheduling a start up with the Water Department staff to demonstrate the new equipment before returning the wells to service.

10. Water Allocation (11-30088):

Major Modification Application:

The aquifer testing report was submitted to NJDEP on March 26, 2008. We will follow up with NJDEP to attempt to expedite a timely review.

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. Now that the aquifer testing report is complete, we will be approaching the PWTC with a proposal to initiate the testwell proceedings on Well #8.

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

We prepared a preliminary 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 discussed the preliminary draft of the report with the PWTC at the last meeting. The discussion must

continue since it involves the potential of hiring additional consultants and implementing a testing protocol. Further discussion will be on the next agenda of the PWTC.

12. **Getty Gas Station Remediation (11-50128):**

We met with representatives from the Tyree Company who represent Getty along with the Sewer Superintendent related to sampling parameters, discharge volumes, and schedule for start of the remediation work. We also discussed the need to clean up the site from its present condition. We will be discussing the recommendations developed at the meeting with the PWT Committee. We will keep Council informed of further progress. Should there be a need to modify the initial agreement established between the Town and Getty we will return to Council for formal action.

**PUBLIC WORKS – INFORMATION ITEMS**

13. **11<sup>th</sup>/Washington Street NJDEP Site Evaluation Block 2608, Lot 1 (11-01065.09):**

We have completed the tests as authorized by Council related to the above referenced site and reviewed the results of those findings. In conclusion of the work completed, ARH has fully evaluated the environmental integrity of the Hammonton Storage Yard property and has determined that the Department should now be in a position to issue a 'whole site' no further action (NFA) letter for the property. We are awaiting a response from the NJDEP.

14. **HDSRF Grant Application - Celona Property (11-01054):**

We have prepared/ submitted a Grant Application in the amount of \$66,125 to NJDEP's Office of Brownfield Reuse. The grant, if received, should be able to fund the Town's current plans for the redevelopment of the property for the purpose of returning it to a viable productive part of the community, which not only stimulates further economic growth but also is protective of the environment. We are awaiting a response from the NJDEP.

15. **HDSRF Grant Application - Skinner Property (11-01074):**

We are reviewing the preliminary environmental data for the site, which was compiled by another consultant. The review will culminate with the preparation/ submission of a Grant Application to NJDEP's Office of Brownfield Reuse

16. **Myrtle Street Survey/Pinelands Inquiries (11-40025.02):**

We met with the Pinelands Commission regarding the conceptual plan for improvements of Myrtle Street between Route 206 and Pine Road and the section of Pine Road presently unpaved. Although there were a number of concerns related to wetlands, stormwater storage and depth to seasonal high water table, it is believed that a design could be perfected that would address the items of concern. If agreeable, we can provide Mayor and Council with a cost estimate to complete a design for the project and file an application with NJDOT to request an allotment of discretionary aid to complete the roadway reconstruction. We will await further direction from Mayor and Council related to this matter.

17. **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).

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

We have contacted the Atlantic County Improvement Authority as to whether this funding still exists for use by the Town. It was indicated that an allotment of \$69,804.00 still remains in effect for use by the Town. The projects that were originally established for use of the funds were as follows:

- A. Completion of the remaining ADA curbs and ramps within the Town.
- B. Balance of funds to be used for reconstruction of Washington Street between 12<sup>th</sup> Street and Orchard Street. This would include replacement of curb and sidewalk, drainage work, replacement of water and sanitary sewer, main and laterals, etc.

It is our understanding that within Ordinance 16-07 there is approximately \$150,000.00 set aside to complete these improvements. We were requested by the Public Works and Transportation Committee to provide a proposal to complete the required survey, design and permitting work for this project. We will have the estimate available for Council's consideration at an upcoming meeting if Council desires to continue the use of the ACIA funds. There may also be the possibility of dividing this project into two phases A and B as noted above. We will discuss this further with the PWT Committee.

19. **Transportation Enhancements, Bellevue Ave-12<sup>th</sup> Street Improvements (11-40011):**

The NJDOT requested information related to items of work that were not completed. Marandino will return to the site to address all of the NJDOT's comments. However, the Central Avenue contractor will be installing the trees that are currently missing along this project route.

20. **Central Avenue – Walkways (11-40027)**

We made a submission to the County related to what we view as essential items of work on the roadway project that will allow the installation of the new walkway. The County has agreed to the installation of additional curb in select locations. To date we have conducted initial discussions with the County regarding the project but are trying to arrange a subsequent meeting to discuss the entire project limits with the County. We have been seeking conceptual approval from the County for the final location of the walkway. We will keep Council informed of further progress.

21. **Central Avenue Roadway Reconstruction Project (11-40027):**

As previously discussed this project has been placed on a winter work stoppage. We have met with the Contractor to discuss their return to the job site. Originally the return was scheduled for April 21, 2008; however due to ongoing discussions with the County related to the final scope of the extra work items, the Contractor has been slightly delayed. It is anticipated the Contractor will return within the next couple of weeks and be active on site for three to five weeks until completion.

22. **Eleventh Street Park Diversion (11-75002):**

Our office previously made efforts to obtain an application packet from Green Acres. We received this packet on April 17, 2008. Additionally, we now have the standards for the sign that must be placed on the Eleventh Street site associated with the removal of the site from the Town's Recreation and Open Space Inventory List (ROSI). Within the next few weeks we plan to have the sign approved by Green Acres, a draft application packet completed and have an idea of when the public hearing will take place in order to comply with the Green Acres Program requirements.

23. **Hammonton Lake Park (11-90028):**

We have submitted this project back to the Pinelands Commission. It is anticipated that we receive comments from the Commission around the second week of May.

24. **Fourth Street Reconstruction (11-40034):**

The NJDOT has set an award deadline of July 18, 2009 for award of this project and use of the NJDOT project funds. 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 when the Town is ready. It is our understanding and recommendation that additional funding will be needed to complete the entire project limits.

25. **Atlantic County Open Space Trust Funds – Round 8 (11-01070)**

At the last Parks and Recreation Committee meeting there was a priority list set for the parcels that received funding. Our office will be preparing a proposal for work related to the acquisition of each lot on the priority list.

26. **NJDEP Environmental Services Grant – Recreation (11-01000):**

As authorized by the Mayor and Council, we are preparing an updated Open Space and Recreation Plan in the format as required by the NJDEP associated with the Recreational Inventory and Needs Analysis for the Town. We have reviewed the Preliminary Report with the Town's Parks and Recreation Committee and held a Public Hearing on same to solicit comment. We expect to complete the report for review by Council and incorporation as a Master Plan Element within sixty (60) days.

27. **Public Works Building (11-10100.108):**

The preliminary sketch outlining the Town's replacement needs was forwarded to NJEDA. We received acknowledgement from the EDA of their receipt and are awaiting their review to determine the limit of funding that can be applied to the cost of the facility in terms of the land value of the Town owned parcel needed for the State Office Building. We anticipate receiving feedback by mid May.

The alternatives for the siting of this new facility were discussed with Pinelands at a recent meeting. Three sites were presented (Boyer Avenue, 8<sup>th</sup> Street Landfill and the former WWTP). The least favorable site per the Pinelands observation is the 8<sup>th</sup> Street Landfill. More definitive discussion will occur once the project becomes a reality.

**SOLICITOR REPORT**

Farmland Preservation Resolution under New Business  
Tuckahoe Turf Farm Decision

May 8 joint meeting of Mayor and Council / Planning Board / COAH reminder  
Pulte Basin site evaluation  
Downtown parking acquisition of quotes from appraisers  
Skinner property acquisition  
Vacation of paper streets

NPP Grant – Refinancing and Subordination of Mortgage

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, confirm subordination of mortgage (no name given per Solicitor).

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

Accept Resignation Linda Cashan-Historic Preservation Commission Alt Class C  
CO 17 Dolan Mechanical Concrete Wall \$15,559.48

Motion by Councilman Wuillermin, seconded by Councilperson Bertino, authorize change order 17 to Dolan Mechanical in amount of \$15,559.48.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

TTI Testing \$1170.00

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino authorize purchase order to TTI \$1170.00.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Purchase Computer Cabinets Police and Dispatch

Motion by Councilperson Marino, seconded by Councilperson Vitalo, authorize purchase order to Matteo Family Kitchens \$1309.28.

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - Y

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

Mayor DiDonato declared the motion carried.

Green Committee Additions  
 Rebecca French  
 Lori Whittaker

Mayor Appointed Joseph Giraldo 3 year term beginning April 30, 2008 and expiring April 30, 2011 planning/school board representative in coordination with his elected term of office on school board

May 10 auction at 9 am

Town Hall closed April 30, May 1 & 2

TOWN CLERK/ADMINISTRATOR INFORMATIONAL ITEMS

Notice Town Hall Closing April 30 – May 2

Notice Payment of Taxes Extended to May 16

New Town Hall Open House to be held May 19 from 5-7 pm (prior to council meeting)

Bid Results

	<u>Base Bid</u>	<u>Asbestos Bid</u>
<u>Town Hall Demolition</u>		
American Demolition	80,000.00	79,800.00
Site Contractors	136,000.00	43,500.00
JR Contracting	225,000.00	75,000.00
RT Winzinger	92,000.00	32,400.00
Mazza Demolition	235,285.00	72,785.00
Turf Construction	352,760.00	98,835.00
Neri	77,000.00	73,300.00
Meco	186,000.00	68,000.00

<u>Paint Water Tower</u>	<u>Base Bid</u>
Corrosion Control Corp	183,460.00

<u>Vine St Imp</u>	<u>Base Bid</u>	<u>Alt A</u>	<u>Alt B</u>	<u>Alt C</u>	<u>Alt D</u>	<u>Alt E</u>	<u>Alt F</u>	<u>Alt G</u>	<u>Alt H</u>
Marandino Concrete	769,876.00	52,942.50	4,000.00	28,385.00	28,793.00	50,400.00	67,179.00	35,287.00	16,000.00
Mathis Construction	769,263.38	58,013.75	5,700.00	64,400.00	46,995.00	76,200.00	92,790.00	44,677.50	19,275.00
Paramount Ent	1,156,812.50	82,075.00	6,000.00	43,750.00	40,250.00	150,000.00	105,000.00	65,000.00	22,660.00
Jersey Construction	651,815.00	51,893.75	3,900.00	70,000.00	46,500.00	41,250.00	67,800.00	68,700.00	18,200.00
Highway Safety	874,527.00	46,646.00	5,900.00	28,700.00	36,150.00	33,930.00	60,197.00	42,315.00	17,408.00

APPROVAL BILL LIST / PAYROLL / OVERTIME-ATTACHED

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

Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, approve bill list (hold all final town hall bills until finalized and authorized by council committee).

ROLL CALL

Councilpersons:  
 Barberio - Y  
 Bertino – Y (abstain on photo lab bills)  
 Marino - Y  
 Petrongolo - Y  
 Vitalo - Y  
 Wuillermin – Y  
 Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS ACTION ITEMS

1. Accept resignation MaryJo Ricca, Env Comm Secretary & re-advertise for position
2. Approve unpaid sick leave of absence Belinda Santiago
3. Approve comp time Lou Rodio 24 total  
 (8 hrs MS bikathon, 4 hrs Brittany Rodio Run, 4 hrs Easter Egg Hunt, 8 hrs Autism Day)

- 4. Request remove Mike Auto Body from towns approved towing list
- 5. Per ARH advising M&C may release Lakeshore Drive improvements bond (release escrow \$3000 William Gannon)
- 6. Accept resignation Linda Frankenfield - Rent Control Board
- 7. Authorize attend school Lyons, Ruberton, LaSassa at a total cost of \$500
- 8. Per R&V authorize release Meadows Performance bond contingent upon posting of maintenance bond
- 9. Hire Michele Rodio Olivera as Lake Quality Secretary
- 10. Hire Dennis LaSassa Jr. Sewer Department Laborer at starting salary with benefits

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve communications action items 1-10 with exception of 3 and 8.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#3 No action taken on item 3 due to the fact that Lou Rodio did not request hours of comp time from Mayor and Council prior to turning them into payroll department per contract.

#8 No action taken as Quality of Life must review on site with R&V prior to same and Solicitor to intercede and advise R&V once again of process for future.

Michael Perrotta - Jamestown Blvd.

Mr. Perrotta spoke concerning request for bond release for Meadows. He advised there is still a problem with water leaking in basements, not to mention drainage problems, loose wires and mold. He and other residents feel there was no one to oversee finalization of these problems.

Solicitor to contact president of condo association in this matter.

REPORTS-April 2008

Town Clerk

Registrar

Construction Official

ANNUAL REPORT-2007

Tax Collector

UNFINISHED BUSINESS

None.

NEW BUSINESS-ORDINANCES

Ordinance #016-2008 Reappropriation Bond Ordinance-Sewer

Ordinance #016-2008

ORDINANCE REAPPROPRIATING \$370,937.37 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR SEWER IMPROVEMENTS TO VINE STREET IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY.

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

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$370,937.37 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
19-2000	b) Gravity sewer main extension, finally adopted June 26, 2000	\$200,937.37
9-2004, as supplemented by 17-2005 as reappropriated by 17-2006	c) Sewer extensions, finally adopted May 24, 2004, as supplemented on May 23, 2005, as reappropriated on August 7, 2006	<u>170,000.00</u>
<b>TOTAL</b>		<b>\$370,937.37</b>

Section 2. The \$370,937.37 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to Ordinance 18-2007(a) to provide for Sewer Improvements to Vine Street (Egg to Central/Bellevue to Vine), as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto, finally adopted on June 25, 2007.

Section 3. The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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 #017-2008 Reappropriation Bond Ordinance-Water

Ordinance #017-2008

ORDINANCE REAPPROPRIATING \$504,123.33 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR WATER IMPROVEMENTS TO VINE STREET IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY.

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

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$504,123.33 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
15-2004, as supplemented by 12-2005	b) Extension of Lakeview Gardens Water Loop, finally adopted July 26, 2004, as supplemented on May 23, 2005	\$289,123.33
16-2005, as reappropriated by 18-2006	f) White Horse Pike Southerly Water Loop, finally adopted May 23, 2005, as reappropriated on August 7, 2006	100,000.00
16-2005, as reappropriated by 18-2006	g) Walnut Street water main extension, finally adopted May 23, 2005, as reappropriated on August 7, 2006	<u>115,000.00</u>
<b>TOTAL</b>		\$504,123.33

Section 2. The \$504,123.33 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby reappropriated to Ordinance 17-2007(b) to provide for Water improvements to Vine Street from Egg to Central and Bellevue to Vine, as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto, finally adopted on June 25, 2007.

Section 3. The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, 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.

RESOLUTIONS

#R056-2008 Authorize Public Auction

#R 56-2008  
 RESOLUTION AUTHORIZING A PUBLIC AUCTION  
 FOR VARIOUS USED AND INOPERABLE EQUIPMENT, VEHICLES AND FURNITURE  
 OF THE TOWN OF HAMMONTON

WHEREAS, it is necessary to dispose of various used and inoperable equipment, vehicles and furniture at a public sale by the Town of Hammonton;

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 Clerk/Administrator be authorized to conduct a public sale of Town owned used and inoperable equipment, vehicles and furniture as per N.J.S.A. 40A:12-13.

BE IT  
 FURTHER  
 RESOLVED that  
 the following list  
 of equipment is  
 authorized to be

sold at said public auction on May 10, 2008 at Town Hall, 100 Central Avenue, Hammonton, New Jersey 08037, with registration at 9:00 a.m. and auction to begin at 10:00 a.m.:

<u>Item Number</u>	<u>Department</u>	<u>Vehicle Make</u>	<u>VIN Number</u>
1	Police	1999 Harley Davidson	1HD1FHW17XY600171
2	Police	1999 Crown Victoria	2FAFP71W5XX207891
3	Police	1999 Crown Victoria	2FAFP71W9XX207893
4	Police	2000 Crown Victoria	2FAFP71W4YX114670
5	Police	1998 Crown Victoria	2FAFP71W7WX191840
6	Police	2000 Crown Victoria	2FAFP71W6YX114668
7	Police	1999 Crown Victoria	2FAFP71W7XX207892
8	Police	1999 Ford Explorer	1FMPU18L6XLB01815
9	Police	2001 Crown Victoria	2FAFP71W31X176437
10	Confiscated	2003 Dodge Ram Pickup	1D7HA18D53J657314
11	Water	1990 Dodge Pickup	1B7FL26X9LS648933
12	Confiscated	1992 Pontiac Firebird	1G2FS33T9NL224258
13	Confiscated	1995 Pontiac Gam	1G2NE55M2SC782775
14	various	old town hall building	desks, file cabinets, chairs, etc

BE IT FURTHER RESOLVED that additional items may be added to said sale and the Town Clerk/Administrator is the designated official to approve all final sales on items to be taken off the premise the day of auction, by purchaser, if said purchaser makes payment in full in the form of cash only; and

BE IT FURTHER RESOLVED that if the successful bidder cannot make payment in full in the form of cash on day of auction that he/she must post a non refundable 10% deposit in cash on day of auction and must make final payment, in full, in cash, and pick up item(s) purchased within one week (7 calendar days) of sale or the bidder/purchaser shall forfeit his/her purchase; and

BE IT FURTHER RESOLVED that all items will be sold "as is". The furniture may be inspected at Town Hall, 100 Central Avenue the day preceding auction and the vehicles may be inspected the day preceding auction by appointment with the Police Chief, Frank Ingemi;

#R057-2008 Request DCA to Examine Hammonton's Budget

#R 057-2008  
 SELF-EXAMINATION OF BUDGET RESOLUTION  
*[as required by DCA]*

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Hammonton has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2007 budget year.

**NOW THEREFORE BE IT RESOLVED** by the governing body of the Town of Hammonton that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:
- a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget has been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Motion by Councilperson Bertino, seconded by Councilperson Marino, adopted resolutions 56 & 57.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

#R058-2008 Gypsy Moth Treatment Mandatory Resolution-Delayed

#R 58-2008

WHEREAS, the gypsy moth *Lymantria dispar*, has been found heavily defoliating tree and plant growth in the Town of Hammonton; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Mayor and Council of the Town of Hammonton has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal or State funds available be authorized.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Council of the Town of Hammonton that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life therefrom is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

Motion by Councilperson Vitalo, seconded by Councilperson Marino, resolution 58 be adopted.

ROLL CALL

Councilpersons:

- Barberio - Recused

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

Acting Mayor Bertino declared the motion carried.

#R059-2008 Refund Plumbing Permit Philip Brunozzi

RESOLUTION # 59-2008

RESOLUTION AUTHORIZING A REFUND  
FOR PLUMBING PERMIT FEE  
TO PHILIP BRUNOZZI

WHEREAS, Philip Brunozzi did submit a request on 3/14/08 for refund of plumbing permit fee due to the application being transferred to Winslow Township; and

WHEREAS, Frank Domenico, Construction Official, has reviewed and authorized said refund to Philip Brunozzi;

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 a refund of plumbing permit fee in the amount of \$ 236.00, is hereby authorized to be refunded to Philip Brunozzi.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, resolution 59 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.

#R060-2008 Authorize MS Bikathon & Road Closure

RESOLUTION # 60 -2008

RESOLUTION AUTHORIZING AND ENDORSING  
MS BIKATHON EVENT AND ROAD CLOSURE

WHEREAS, the National Multiple Sclerosis Society has and continues to promote the Town of Hammonton with their Annual MS Bikathon; and

WHEREAS, Mayor and Council has and continues to support the efforts of the National Multiple Sclerosis Society; and

WHEREAS, September 27 and 28, 2008 is the scheduled date for the annual bikathon;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the National MS Society Annual Bikathon is acknowledged and endorsed with the following streets being closed:

Egg Harbor Road (Route 561) from 9th Street to Walmer  
Saturday, September 27 from 8:00 am to 1:00 pm  
Sunday, September 28 from 9:00 am to 3:00 pm

#R061-2008 Refund Unused Road Opening Escrows

RESOLUTION # 61-2008

RESOLUTION AUTHORIZING A REFUND  
OF ROAD OPENING ESCROWS

WHEREAS, unused roadway opening escrow balances for years 2005 and 2006 require refunds to applicants as follows:

South Jersey Gas	\$ 4,800.00
AN Construction	\$ 1,500.00
Michael Pullia	\$ 600.00

WHEREAS, the Town of Hammonton Finance Department upon investigation has determined these refunds are necessary;

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 a refund of road opening escrows be made immediately.

Motion by Councilperson Barberio, seconded by Councilperson Bertino, resolutions 60-61 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.

#R062-2008 Authorize NJ ABC Transfer Liquor License – Vision Property to Trinity

#R 62 -2008  
Town of Hammonton  
County of Atlantic  
Resolution Authorizing NJ ABC to Transfer Person/Person Conflict Liquor License

WHEREAS, the following liquor license holder has applied for person/person transfer:

<u>License #</u>	<u>License Name</u>	<u>License Holder</u>	<u>Location</u>
0113 33 013	Vision Properties Group	John DiDonato	216 Bellevue Ave., Hammonton

WHEREAS, an application for transfer of person/person liquor license has been made to the Town of Hammonton; and

WHEREAS, the transferor is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, and the subject license is a "conflict" license. Accordingly, said transfer application was forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the transfer of the subject license and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Mayor and Council has no objection to the transfer of Plenary Retail Consumption Licenses Numbered 0113-33-013 and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

#R063-2008 Authorize NJ ABC Renew Vision Property Liquor License In Event Transfer Not Complete By June

#R 63-2008  
Town of Hammonton  
County of Atlantic  
Resolution Authorizing NJ ABC to Renew Conflict Liquor Licenses

WHEREAS, the following liquor license holder has applied for renewal of 2008/09 Plenary Retail Consumption Licenses:

<u>License #</u>	<u>License Name</u>	<u>License Holder</u>	<u>Location</u>
0113 33 013	Vision Properties Group	John DiDonato	pocket

WHEREAS, the applicant is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, the subject license is a "conflict" license. Accordingly, said renewal application was forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject licenses and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Mayor and Council has no objection to the renewal of Plenary Retail Consumption Licenses Number 0113 33 013 and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, resolutions 62-63 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.

#### #R064-2008 Authorize Refund Overpayment Water Bill-Estate of Joseph Melora

WHEREAS an overpayment of water in the amount of \$756.90 was made at Block 2701, Lot 3; and

WHEREAS, Rosemarie Jacobs, Collector, has approved said refund;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY authorize refund of water bill in the amount of \$756.90 to The Estate of Joseph Melora.

#### #R065-2008 Award Contract Street Sweeping Services (Mandatory Stormwater Drainage Requirement) (2007 bid \$62,700, increase \$4800 from last year)

#### RESOLUTION # 65-2008 RESOLUTION AWARDING CONTRACT ON BID Street Sweeping Services

WHEREAS, the Town of Hammonton did advertise for competitive bids for street sweeping services which were received on April 16, 2008; and

WHEREAS, the only bid received was from Pieco Services in the total amount of \$67,500:00/\$175.00hr emergency call out; and

WHEREAS, the bid of Pieco Services 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 Pieco Services in the amount of \$67,500.00/\$175.00hr emergency call out and consistent with the bid submitted and services to begin May 1, 2008;

#### #R066-2008 Tax Resolution April

#R 66-2008

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
4601-33	Flores	Rosie	\$ 704.20	Tax	Refund Life Center
4601-33	Flores	Rosie	\$ 95.57	Water	Refund Life Center
3604-5	Hmnt. Rec	Rosie	\$ 708.62	Water	Reading error remove excess
3604-5	Hmnt. Rec	Rosie	\$ 673.38	Water	Correct excess put on bill
3502-3	Brown	Jim	\$ 69.00	Water	Only one unit (Hair Salon)
3502-3	Brown	Jim	\$ 125.00	Sewer	Only one unit (Hair Salon)
4205-1	Town	Rosie	\$ 66.14	Tax	Remove 1st half billing
4205-1	Town	Rosie	\$ 0.12	Tax	Remove credit
1709-29	Curcio	Jim	\$ 70.50	Water	Remove billing bldg torn down
2421-1	Domenico	Jim	\$ 182.18	Water	Remove house hit by car
2421-1	Domenico	Jim	\$ 400.00	Sewer	Remove house hit by car
2421-1	Domenico	Rosie	\$ 200.00	Sewer	Tran from 2007 to 2008
2421-1	Domenico	Rosie	\$ 68.25	Water	Tran from 2007 to 2008
2421-1	Domenico	Jim	\$ 300.00	Sewer	Tran min. bill to 2421-1 sub 1 new meter
2421-1	Domenico	Jim	\$ 34.50	Water	Tran min. bill to 2421-1 sub 1 new meter

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.

#R067 -2008 Award Bid Town Hall Demolition

RESOLUTION # 67-2008

RESOLUTION AWARDING CONTRACT ON BID  
Town Hall Demolition

WHEREAS, the Town of Hammonton did advertise for competitive bids for demolition services for the former town hall building located at 100 Central Avenue and bids were received on April 23, 2008; and

WHEREAS, the low bid received was from R.T. Winzinger in the total amount of \$ 124,400.00; and

WHEREAS, the bid 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 R.T. Winzinger in the amount NOT TO EXCEED \$ 124,400.00.

#R 068 -2008 Professional Services Contract to Health & Safety Services for Demo monitoring

RESOLUTION # 68-2008

RESOLUTION AWARDING A PROFESSIONAL SERVICES  
CONTRACT TO HEALTH & SAFETY SERVICES INC.

WHEREAS, it has been determined that it is in the best interest of the Town of Hammonton to retain the services of an industrial hygiene professional; and

WHEREAS, **Health & Safety Services Inc., 318 12<sup>th</sup> Street, Hammonton, NJ** qualifies as a professional providing the services requested by the Town of Hammonton; and

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires a resolution authorizing the awarding of a contract for professional services without competitive bidding.

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 a Professional Services contract be entered into with Health & Safety Services in an amount not to exceed \$ 4,900.00; and

BE IT FURTHER RESOLVED that a notice of this action taken by Mayor and Council shall be printed once in the designated newspaper for legal publications for the Town of Hammonton.

#R 069-2008 Award Bid Paint Water Tower

#R 69-2008

RESOLUTION OF AWARD  
ELEVATED WATER STORAGE TANK PAINTING  
FOURTH STREET 1.5 MG FLUTED COLUMN TANK

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey owns and operates the water system; and

WHEREAS, the system contains an elevated storage tank located on Fourth Street; and

WHEREAS, part of the continuing maintenance program on system improvements, said facility is in need of maintenance in the form of repainting; and

WHEREAS, the repainting of this structure will be the first application since its construction in 1990; and

WHEREAS, the Town has advertised and received bids for the repainting of said water tower in accordance with the Public Contracts Law; and

WHEREAS, only one bid was received on April 23, 2008 from Corrosion Control Corp. of Pedricktown, NJ in the amount of 183,460.00; and

WHEREAS, the Corrosion Control Corporation's bid for this project is acceptable; and

THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby awards the repainting of the Elevated Water Storage Tank-Fourth Street 1.5 MG Fluted Column Tank in the Town of Hammonton, Atlantic County to Corrosion Control Corporation in the total amount of \$183,460.00 subject to compliance with the conditions noted below:

1. Review and Approval of the bid documents by the Town Solicitor.
2. Certification as to the availability of funds from the Town's Chief Financial Officer.

#R 070 -2008 Award Bid Vine Street Improvements (held until May 8 special meeting for funding)

R# 70- 2008

RESOLUTION OF AWARD  
VINE STREET & SECOND STREET IMPROVEMENTS

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey have identified a need for roadway and utility improvements along Vine and Second Streets; and

WHEREAS, the improvements are necessary to continue the overall master plan improvements associated with Downtown Revitalization and the Town Hall project; and

WHEREAS, the project consisted of a base bid and several alternate bids; and

WHEREAS, the Town has advertised and received bids for the project entitled Vine Street and Second Street in accordance with the Public Contracts Law; and

WHEREAS, five bids were received on April 23, 2008; and

WHEREAS, the lowest responsible bidder for the base bid and the alternates is Jersey Construction of Hammonton, NJ; and

WHEREAS, following the review of the bids, the award scenario chosen is the base bid and all the alternates with the exception of Alternate D resulting in a total project cost of \$973,558.75; and

WHEREAS, Jersey Construction's bid for this project is acceptable; and

THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby awards the improvements to Vine and Second Streets in the Town of Hammonton, Atlantic County to Jersey Construction in the total amount of \$973,558.75 subject to compliance with the conditions noted below:

Review and Approval of the bid documents by the Town Solicitor.  
Certification as to the availability of funds from the Town's Chief Financial Officer.

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, resolutions 64-69 be adopted and Table Resolution 65.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

#R071-2008 Farmland Preservation-Wuillermin Property

#R 071-2008

RESOLUTION IN SUPPORT OF COUNTY AND STATE EFFORTS  
TO PRESERVE AGRICULTURAL USES AT WUILLERMIN FARMS,  
BLOCK 601, LOT 5, BLOCK 601, LOT 7, AND BLOCK 701, LOT 3

WHEREAS, Mayor and Council of the Town of Hammonton wish to support the efforts of the County of Atlantic and State of New Jersey to preserve agricultural uses and whereas such preservation is in the best interest of the residents of the Town of Hammonton.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton supports the State of New Jersey's Agricultural retention and development program as it relates to the following and that the land described be preserved in its current agricultural use.

Wuillermin Farms  
Block 601, Lot 5  
Block 601, Lot 7  
Block 701, Lot 3

Notice of adoption of this resolution shall be published in the official publication of the Town of Hammonton as required by law.

Motion by Councilperson Bertino, seconded by Councilperson Petrongolo, resolution 71 be adopted.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

St. Joseph RC Church (ABC)	various
Hammonton Education Foundation (raffle)	7/20/08
Kessler Hospital (raffle)	7/16/08
St. Joseph Home School (raffle)	various

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, approve licenses. Motion carried.

PUBLIC HEARD

Mark Santora – Old Forks Road

Mr. Santora referred to letter he received concerning Blueberry Ridge Development and stated he does not agree with same. He questioned who will be overseeing corrective action?

Solicitor advised R&V.

He went on to question several aspects of letter to which Solicitor and Bob Vettese responded.

Dominic Siconofi – Francis Street

Mr. Siconofi advised he has an issue with ATV's at his property and questioned amending current ordinance.

Janna Tomasello – Francis Street

Ms. Tomasello elaborated further on Mr. Siconofi's request.

A discussion of council was held and Solicitor advised ordinance can be amended.

MEETING ADJOURNED

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

Minutes prepared by April Boyer Maimone, Assistant Municipal Clerk

Minutes approved by Susanne Oddo, Town Clerk/Administrator