

Minutes  
REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
Monday, November 24, 2008 at 6:00 P.M.  
Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)

MEETING CALLED TO ORDER BY DEPUTY MAYOR WUILLERMIN

ROLL CALL

Mayor DiDonato – Absent/Recused

Councilpersons:

Barberio - P

Bertino - P

Marino - P

Petrongolo - P

Vitalo - P

Deputy Mayor Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor

#R 146 -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 Minutes
2. Personnel
3. Litigation

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

Motion by Councilperson Barberio, seconded by Councilperson Vitalo, the resolution be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Deputy Mayor Wuillermin - Y

Mayor DiDonato – Absent/Recused

Deputy Mayor Wuillermin 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. Please familiarize yourselves with the fire exit to the right and rear of the Council Chambers. Also, there is to be no smoking in the Town Hall at any time.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Motion by Councilperson Marino, seconded by Councilperson Barberio, the minutes of the Special Meeting – November 19, 2008 be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Green Committee Presentation

Ms. Susen Geiko of the Green Committee handed out a power point presentation to Mayor and Council. Ms. Geiko introduced committee members present. Ms. Geiko and Green Committee presented the Municipal Energy Audit and asked Mayor and Council to implement this program and advised on the program guidelines and funding.

A discussion of Council was held concerning transforming existing municipal buildings into energy efficient buildings.

Motion by Councilperson Barberio, seconded by Councilperson Vitalo, refer to 2009 budget and authorize a resolution of support of Municipal Energy Audit.

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 #033-2008 Amend Chapter 35-37 & 35-38 Deputy Clerk

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

No one desired to be heard.

Motion by Councilperson Bertino, 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.

Ordinance #034-2008 Update Employee Handbook

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

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, 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.

Ordinance #035-2008 Create Position COAH Liason

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

No one desired to be heard.

Motion by Councilperson Vitalo, seconded by Councilperson Barberio, 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.

Ordinance #036-2008 Amend Chapter 74-5 Alarm Systems

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

No one desired to be heard.

Motion by Councilperson Bertino, 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.

Ordinance #037-2008 Amend Fences & Barriers

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

Ordinance #038-2008 Amend Water Connections

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

No one desired to be heard.

Motion by Councilperson Vitalo, 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.

RESUME REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

(ADMINISTRATION / QUALITY OF LIFE-Councilperson Barberio

Review timeclock procedure, commission meeting minutes (will be stored hardcopy at town hall)  
Report on Quality of Life committee meeting joint meeting  
Report Green committee/environmental commission planting at Hammonton lake (funded by grant)  
Next Administration Committee meeting December 16 at 3 pm

BUSINESS AND INDUSTRY-Councilperson Petrongolo

Report on Chamber/Mainstreet request citizens to “Shop Hammonton” and asked to support local businesses  
Request citizens to support local charities

EDUCATION-Councilperson Bertino

Board of Education audit found deficit has been eliminated and complimented Barbera Prettyman, Administrator  
Report on question for Special Election December 9 from 2:30 – 9:00 pm upgrade Warren E Sooy Bldg  
Special meeting December 4 at 6:30-7:30 pm to view proposed repairs to be made by referendum question  
Report on projects

Mayor DiDonato questioned which year taxes will be affected by the school referendum?

Councilman Bertino responded he has not seen anything official and does not feel until bond referendum is approved we can anticipate the impact on the taxes as there are other budget items to anticipate such as ratables to offset same.

PUBLIC WORKS-Councilperson Wuillermin  
Request Extension of Leaf Pickup

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize extension of temporary workers to December 19 at no additional cost due to various holidays not worked during the leaf season.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Councilman Wuillermin report continued

Report on ACUA

Trash pickup for Thursday (Thanksgiving) will occur the next day, Friday, for this week only

Public Works action items referred to under Engineer report

Water tower painting continues due to incimate weather

NJ Manufacturers Co. municipal well location consideration

No response yet on application for increased water allocation

Airport meeting with FAA representatives discussion on multi year capital improvement program

LAW AND ORDER-Mayor DiDonato

Nov 17 Law & Order Committee meeting report

Emergency Management Plan update review

Police physical fitness program reviewed

4 new police vehicles proposed in 2008 budget

Hiring of new police officer referred to 2009 budget process

Councilman Marino questioned county taking over dispatch and how that will affect Hammonton?

Mayor advised this will not be happening any time in near future and when a county proposal is made we will look into the impact on Hammonton.

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

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

The plans and specifications will be ready for bid shortly. However, as previously reported we are waiting for easements to be finalized. Once the easements have been secured we will advertise for bid. One easement appears to be outstanding. Additionally we will be submitting to NJDOT to obtain permission to detour traffic onto Route 30.

We have been trying to secure utility easements from two different property owners and four parcels along the White Horse Pike property frontage. Consistent with actions completed in the past where easements are requested and provided a waiver of connection fees for 1 Equivalent Dwelling Unit (EDU) is being recommended for the following properties:

- Block 4104            Lot 2
- Block 4104            Lot 3
- Block 4104            Lot 7
- Block 4104            Lot 8

In this case the waiver of the sanitary connection fee equivalent to \$2000.00 is recommended for each of these properties.

*Motion by Councilperson Wuillermin, seconded by Councilperson Vitalo, approve waiver of one sanitary sewer connection fee for each of the properties noted above and authorize the Solicitor to draft the letter or agreement to formalize the Council's action and obtain the property owners' consent to granting the easement.*

**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.

**2. Bellevue Properties Sanitary Sewer Hookup Request and Force Main Installation (11-10012.03)**

A request has been made by Bellevue Properties to allow for the installation of an onsite grinder pump and force main in order to service a proposed Ace Hardware Store. We have attached a sketch noting the property in question and the proposed route of the force main. We have reviewed the request with the Sewer Superintendent and the PWT Committee. It was the recommendation of the PWT Committee to grant the request subject to the following conditions:

1. The use of the grinder pump and force main will be for the Phase I portion of the project which includes the renovation of the former auto dealership building noted as Block 4601, Lot 4 to an Ace Hardware Store. Any additional development of the property will require the extension of gravity sewer to the White Horse Pike/Basin Road intersection across Block 4501, Lot 35.
2. Copies of all executed sanitary sewer easements noted on the design plans dated 7/16/08 as prepared by Schaeffer, Nassar & Scheidegg must be provided to the Town and Engineer's office.
3. The applicant will be responsible to obtain all development approvals and permits from the applicable review agencies.
4. The applicant will be responsible to pay all appropriate connection fees for the proposed use as agreed upon by the Sewer Superintendent and in accordance with applicable regulations.
5. The applicant will provide an as-built plan of the proposed construction in a format acceptable to the Town and Sewer Superintendent.

6. The applicant will be responsible to satisfy any outstanding bills associated with the review of the project.

Referred to New Business.

3. **Hammonton Garden Apartments Final Sanitary Sewer Extension Approval (11-50121)**

The applicant has requested final approval consideration to allow for the extension of sanitary sewer to service the existing 52 apartment units and one single family residential unit within Block 1201, Lots 5 and 5.01 located on Twelfth Street. This application was granted preliminary approval for the proposed sanitary sewer extension request by Mayor and Council in November 2005. The applicant has obtained a NJDEP-TWA permit #07-0430 dated 10/23/07. The applicant has provided revised design plans to comply with the conditions of preliminary approval as stipulated by the Mayor and Council. We have reviewed the revised plans and prepared a report dated October 31, 2008. We have reviewed this report with the Sewer Superintendent and the PWT Committee.

It would therefore be recommended that final sanitary sewer extension approval be considered by the Mayor and Town Council subject to the following conditions:

1. The applicant comply with the conditions noted in the Engineer's Report dated October 31, 2008.
2. The applicant be responsible to pay all connection fees for the project as established by ordinance or as modified per signed agreement established between the Town and applicant.

Referred to New Business.

**PUBLIC WORKS ACTION ITEMS**

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

The Contractor is substantially complete, however there are punch list items remaining. Previously we have walked the site with the County and were given a few items of work that will be required by the County. We have forwarded the County's comments to the Contractor and we are currently waiting for the Contractor to provide additional costs (where warranted). We anticipate receiving these costs prior to this meeting and if received in time we will discuss with the Mayor and Council as needed.

Awaiting final price quotes from contractor. Costs will be totally born by county, therefore, there is no formal request for funding from the Town.

**SEWER & WATER INFORMATION ITEMS**

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

We must meet with the contractor to resolve a few minor contractual issues prior to close-out. In the interim, we have recommended payment to all but a value of the items that are in dispute. It is the intent to closeout the contract as soon as the meeting can be practically scheduled.

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

Over the past several months, we have apprised Council of NJDEP's Southern Enforcement's intervention to assist the Town. Pinelands is attempting to await the conclusion of the USGS report presentation to the Commission before reconvening with the Town. We are attempting through Southern Enforcement to expedite meetings on this issue. Given the States upcoming calendar, it is unlikely that any progress will be achieved on this matter prior to the first of the year.

7. **Water Allocation (11-30088):**

Major Modification Application:

No additional information was revealed in our attempt to determine if the NJDEP will release findings prior to the anticipated release date of February 2009. We will continue to contact our representative at the Bureau of Water Allocation to determine if the review time frame can be expedited.

Future Well:

A meeting was held with NJMIC representatives to discuss the placement of a new well along Chew Road on property currently owned by them. The meeting was productive; however, NJMIC was interested in viewing a conceptual site plan with building elevations so that they may obtain a better perspective of the request. Additionally, they were seeking the Town's rationale for choosing this location. A package with all of the desired information was sent to NJMIC representatives for their review and comment. Once they have had the opportunity to review, a subsequent meeting will be planned. If all are in agreement about the proposal, we will proceed with advertisement for bids on the testwell at that location.

8. 1.5 Million Gallon Water Storage Tank Painting (11-30136.03):

Work is continuing on the water tank painting. The intermediate coat has been applied. The finish coat should be completed by the end of the month with the lettering and logo to follow.

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

We have received review comments from the NJDEP and are in the process of responding to those comments. We have made a design submission to the County related to the pipe crossing in the area of their culverts and are awaiting their review. We have been discussing the need for a water utility easement with the owner of Ideal Clothing in order to try and save on the cost for pipe installation.

The Solicitor is in the process of amending the funding agreement provided by the NJDEP and the well sealing waiver agreements with two property owners in the project area. The Town must amend the present well sealing ordinance.

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

We are in the process of revising the design plans for Phase I to allow for the installation of the sanitary sewer within existing or proposed public right-of-ways.

The Town Solicitor has prepared revisions to the initial agreement between the Town and the applicant which must be executed by all parties associated with cost sharing of Master Plan improvement to the project area. We will keep Council informed of further progress.

11. Sewer Department Maintenance Facility (11-50107.04):

ARH is preparing a proposal to modify the present site plan to reflect the modifications to the building plans and specifications for bidding purposes and to obtain approvals and permits from the various agencies. We hope to have the completed proposal for a future PWTC meeting so that authorization to proceed could be sought at future Council meeting. We have also discussed the possibility of bidding the project site work and building construction in phases.

12. Route 54/Bellevue Avenue Utilities (11-50120):

Since the last reporting period we received a review letter related to the NJDEP-BSDW application. A response will be provided within the next few days. Also the plans and specifications will be forwarded to USRD seeking permission to bid the project.

PUBLIC WORKS – INFORMATION ITEMS13. Community Development Funds, 2006 ADA Curb/Walk Replacement, Washington Street Phase I Reconstruction (11-40026):

As authorized, we are continuing with the design work for the Phase I portion of Washington Street reconstruction extending between 12<sup>th</sup> Street, Rt. 54, to Orchard Street. An extension of time for project award was requested until January 1, 2009. We will keep Council informed on further progress.

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

It is our understanding that the Solicitor is drafting a sales agreement to forward to the three (3) property owners for the properties as requested by Council in order to peruse acquisition. Should the agreement be signed by the property owners, Council could then consider ARH's proposal to complete the required survey, subdivision, preliminary environmental assessment, etc. related to the properties.

We have also supplied a copy of the other properties where funding has been allotted by the County for purchase by the Town to the Solicitor. The Solicitor will also be drafting sales agreements for each of the other properties to determine if there is still an interest for sale by the property owners. We are not proceeding with any work associated with any of the properties approved within the Round 8 funding until further notice by the Solicitor and the Town.

We have received an inquiry from Atlantic County regarding the status of progress related to each of these properties in which funding approval was received for Round #8. We will be providing a response to the County.

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

The Solicitor will make contact with the property owners noted below prior to drafting a follow up letter to Atlantic County regarding the status of the properties and whether the Town still wishes to pursue same.

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

Resolution of this matter must be completed in order for the Town to be considered for any future funding requests from the County.

**16. Myrtle Street Survey/ (11-40036):**

We are continuing with the application for Discretionary Aid assistance for the section of Myrtle Street extending between Route 206 and Pine Road and the section of Pine Road presently unpaved.

**17. Central Avenue Walkway (11-40027.03)**

We are continuing with the conceptual plan design for the sidewalk placement using the comments that were received at the public meeting. We will keep Council informed of further progress.

**18. Celona Property Site Remediation Railroad Avenue NJEDA Grant (11-01054.02)**

As discussed with the PWT Committee we directed a letter to the NJEDA regarding the possible redevelopment of the Celona parcel. We used the Redevelopment report completed by Peter Karabashian in 2003 as the basis for this response.

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

The Pinelands Commission approved the application for public development for this project on June 13, 2008. Since the last reporting period we received a review letter from Cape-Atlantic SCD. Our office is currently adding notes to the plan and providing a re-submission in accordance with the review letter.

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

Previously, our office made a submission to NJDOT for additional funding. The NJDOT has announced that the Town will receive \$160,000.00 under the FY2009 Local Aid Program to be utilized on this project. We plan to complete plans and specifications allowing for the project to be bid early in 2009. The limits of the project will be based on availability of funds.

21. **Vine Street & Second Street (11-40033):**

The Contractor is substantially complete. Since the last reporting period, the Contractor has installed trees along Vine Street and Route 54. The punch list appears to be addressed and we will work to close out this project prior to the next meeting.

22. **11<sup>th</sup> Street/Washington Street NJDEP Site Evaluation, Block 2608, Lot 1 (11-01000)**

We were contacted by the NJDEP Case Manager who is reviewing the above noted site. He indicated that he has completed his evaluation of the site and provided the report to the Pinelands Commission for review and comment. Once the Pinelands completes their comments he will finalize the report and provide a letter of finding to the Town. We will keep Council informed of further progress.

23. **Boyer Avenue Recreation - Phase III (11-75003):**

The Pinelands Commission has requested additional soil investigation. Our office will complete additional soil borings and provide a response back to the Commission.

Subsequently the lighting, irrigation and electrical designs are underway. Once we obtain more information on these designs, we will discuss further with the Recreation Committee.

**SOLICITOR REPORT**

Report sink holes have been repaired at Blueberry Ridge/Pulte Development

Reported bonding information will be provided shortly as requested by Blueberry Ridge Representative

Councilman Bertino questioned if he received any indication as to what caused the sink holes?

Solicitor responded no, but he has faith in professionals to resolve the matter.

Councilman Vitalo questioned if the ATV issue has been resolved?

Solicitor responded no, as there have been numerous other matters that needed immediate attention.

Councilman Marino questioned why R&V representatives are not present this evening as requested?

Solicitor responded he was not able to schedule with them. Solicitor assured everyone that he is kept up to date weekly by R&V and has passed on information to Mr. Adolph, who represents Pulte.

**MAYOR REPORT**

**Authorize Use of Council Chambers – Kessler Hospital**

Motion by Mayor DiDonato, seconded by Councilperson Wuillermin, authorize Kessler Hospital question and answer session to be held in council chambers December 1 at 7 pm and use of our recording equipment to be run by Nick DeStefano as a volunteer at no charge to Town or hospital at his request.

**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 report continued

Mayor DiDonato encouraged everyone to come out to vote on Dec 9 for school referendum

TOWN CLERK/ADMINISTRATOR REPORT

1. Approve NJ DOP Employee Advisory Service Up to Maximum of \$1500.00

Motion by Councilperson Barberio, seconded by Councilperson Wuillermin, Town Clerk Action Item #1 be approved.

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. Approve Dogwood Lane lighting plan

Referred to committee.

3. Bid Results Senior/Rec Center:

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALT</u>
COASTAL	\$1,140,000	\$39,500
DOLAN	\$ 950,000	\$50,000
<b>J. PORETTA</b>	<b>\$ 798,500</b>	\$25,000
R. SIROLI	\$ 805,700	\$12,500

Refer to New Business for resolution of award

BILL LIST, Purchase Orders and Transfer Resolution 146A-2008 Approval

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve bill list, purchase orders and transfer resolution.

ROLL CALL

Councilpersons:

Barberio – recused on Triad bill only

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – recused on Trinity Enoteca only

Mayor DiDonato declared the motion carried

REPORTS-October 2008

Town Clerk  
Registrar  
Construction Official

NEW BUSINESS-ORDINANCES

Ordinance #041-2008 COAH Liason Salary

Ordinance # 41 -2008

AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS  
AND EMPLOYEES OF THE TOWN OF HAMMONTON,  
COUNTY OF ATLANTIC, NEW JERSEY

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

SECTION 1. There is hereby adopted the following salaries for employees and officials of the Town of Hammonton, in the County of Atlantic, and State of New Jersey, in those classifications which are here-in-before set forth:

TITLE	MINIMUM	MAXIMUM
Municipal Housing Liaison	\$4,000.00	\$5,000.00

SECTION 2. The specific salary or wage for any municipal official or employee shall be determined and set forth in salary contracts or collective bargaining agreements provided they are within the minimum and maximum amounts as set forth hereinabove. No salary or wage for any municipal official or employee shall be affective or intended unless by official action of the Governing Body and incorporated in a Resolution fixing the specific wage or salary.

SECTION 3. The amount to be paid to each official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

SECTION 4. The method of payment of the salaries to each official or employee shall be fixed from time to time by Resolution of the Mayor and Council.

SECTION 5. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. This ordinance shall take effect after final passage and publication according to law and its provisions shall be effective January 1, 2009.

Motion by Councilperson Bertino, 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

#R147-2008 Professional Services DY Consultants - Airport Rehab & Fence

#R 147 -2008

A RESOLUTION AWARDING PROFESSIONAL SERVICE CONTRACT

WHEREAS, there exists a need for professional services for the Town of Hammonton Municipal Airport Projects; and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

WHEREAS, the following is the cost for said services to be provided by DY Consultants:

Academy Drive Rehab	\$ 99,087.00
Fence	\$ 59,898.00
REIL Installation	\$ 28,342.00

WHEREAS, funds are available for said professional service contract, and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton is hereby authorized and directed to enter into an agreement with DY Consultants as described above; and

#R148-2008 Appoint Frank Zuber, COAH Liason

#R 148 -2008

**Town of Hammonton**

WHEREAS, Town of Hammonton's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., Town of Hammonton is required to appoint a Municipal Housing Liaison for the administration of Town of Hammonton's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, Town of Hammonton by adopting Ordinance 35-2008 has created the position of Municipal Housing Liaison to administer Town of Hammonton's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of Town of Hammonton in the County of Atlantic, and the State of New Jersey that Frank Zuber is hereby appointed by the Governing Body of Town of Hammonton as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Ordinance 35-2008.

#R149-2008 Our Lady of Guadalupe Procession

RESOLUTION # 149 -2008

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL  
"OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION"

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

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

WHEREAS, **December 14, 2008 at 2:30 p.m.** is the scheduled date for the Spanish Community Our Lady of Guadalupe 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:

Go Down Third Street and turn left onto Fairview Avenue  
Turn left onto Egg Harbor Road  
Proceed to St. Martin Church located on S. Egg Harbor Road

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 Town of Hammonton authorize "Our Lady of Guadalupe Spanish Community Procession."

#R150-2008 ACUA Sludge Disposal Interlocal Agreement

RESOLUTION # 150 -2008

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT FOR  
SLUDGE DISPOSAL WITH THE ATLANTIC COUNTY UTILITIES AUTHORITY

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

**WHEREAS**, the Town of Hammonton has determined that there exists a need for disposal of sludge generated by the Hammonton Wastewater Treatment Facility; and

**WHEREAS**, the Atlantic County Utilities Authority maintains a facility for disposal of waste sludge.

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

1. The Agreement which is annexed hereto and made a part hereof with Atlantic County Utilities Authority is approved.
2. That the Mayor and Town Clerk/Administrator are hereby authorized to execute an Agreement with the Atlantic County Utilities Authority for sludge disposal.

#R151-2008 Amend 2008 Budget to include 2<sup>nd</sup> Round Over the limit Under Arrest Grant

#R 151 -2008

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received \$ 5,000.00 from NJ Department of Law and Public Safety, Division of Highway Traffic Safety, and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of grant in the **2008 Budget** of the Town of Hammonton to reflect:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

**Over the Limit Under Arrest Grant**

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R152-2008 Amend 2008 Budget to include Whip Wildlife Habitat Site Grant

#R 152 -2008

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received \$ 2,000.00 from Cape Atlantic Soil District and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of grant in the **2008 Budget** of the Town of Hammonton to reflect:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

**Whip Wildlife Habitat Site**

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R153-2008 Amend Budget Receive Body Armor Grant

#R 153 -2008

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received \$ 3,300.84 from NJ Dept Law and Public Safety and wishes to amend its Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of grant in the **2008 Budget** of the Town of Hammonton to reflect:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services – Public and Private Revenues Offset with Appropriations:

**Body Armor Replacement Fund Program**

BE IT FURTHER RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

#R154-2008 Tax Resolution November

#R 154-2008

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

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
2817-1	Ruberton	21 N 3rd	799.31	Tax	Trans to 2817-4 posting error	Rosie
4903-18	Akras	93 Centennial	1,903.87	Tax	Trans to 4903-19 posting error	Rosie
3502-3	Brown	10 N. WHP	375.89	Sewer	Off Meter removed	Jim
3502-3	Brown	10 N. WHP	139.50	Water	Off Meter removed	Jim
2808-10	ECG Prop	201 E Orchard	751.07	Tax	Refund overpayment	Rosie
2808-11	ECG Prop	201 E Orchard	1,492.99	Tax	Refund overpayment	Rosie
2702-1	Skinner	317 N Egg Harbor	34.50	Water	Off Remove 4th Quarter	Jim
2702-1	Skinner	317 N Egg Harbor	125.33	Sewer	Off Remove 4th Quarter	Jim
2421-2.03	Celona	130 Railroad	712.60	Sewer	Sewer off	Jim
2421-2.03	Celona	130 Railroad	242.40	Water	Water off	Jim
5202-2	Flores	19 Columbia	44.64	Tax	Tran from 2008 to 2009	Rosie

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.

#R155-2008 Force Main Ace Hardware

**RESOLUTION #155-2008  
ENDORING PRELIMINARY APPROVAL TO  
BELLEVUE PROPERTIES GROUP FOR THE INSTALLATION OF A GRINDER PUMP AND FORCE MAIN TO  
SERVICE THE PROPOSED ACE HARDWARE STORE WITH SANITARY SEWER SERVICE**

WHEREAS, Bellevue Properties Group from Hammonton, NJ, hereafter referred to as the applicant made application to the Town of Hammonton for the installation of a grinder pump and force main for a project located on Lot 4601, Lot 4 on the Tax Map of the Town of Hammonton; and

WHEREAS, the proposed project will consist of the installation of an onsite grinder pump and force main in order to service the proposed Ace Hardware Store; and

WHEREAS, the applicants design consultant, Schaeffer, Nassar & Scheidegg has proposed a plan designated the placement of the proposed grinder pump and force main that would service the proposed store; and

WHEREAS, the design plan and this request was discussed with the Sewer Superintendent and the Public Works and Transportation Committee; it was the recommendation of this Committee to grant the request subject to the following conditions:

1. The use of the grinder pump and force main will be for the Phase I portion of the project which includes the renovation of the former auto dealership building noted as Block 4601, Lot 4 to an Ace Hardware Store. Any additional development of the property will require the extension of gravity sewer to the White Horse Pike/Basin Road intersection across Block 4501, Lot 35.
2. Copies of all executed sanitary sewer easements noted on the design plans dated 7/16/08 as prepared by Schaeffer, Nassar & Scheidegg must be provided to the Town and Engineer's office.
3. The applicant will be responsible to obtain all development approvals and permits from the applicable review agencies.
4. The applicant will be responsible to pay all appropriate connection fees for the proposed use as agreed upon by the Sewer Superintendent and in accordance with applicable regulations.
5. The applicant will provide an as-built plan of the proposed construction in a format acceptable to the Town and Sewer Superintendent.
6. The applicant will be responsible to satisfy any outstanding bills associated with the review of the project.

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 Clerk is hereby authorized to direct a letter to the applicant, Town Planning Board Secretary and the Town Construction office notifying them of the Mayor and Town Council's action to recommend approval for the installation of a grinder pump and force main to service the Phase I construction for the proposed ACE Hardware store located on Block 4601, Lot 4 subject to compliance with the above noted conditions.

#R156-2008 Sewer Service Hammonton Garden Apartments

**RESOLUTION #156-2008  
ENDORING FINAL SANITARY SEWER EXTENSION APPROVAL TO SERVICE THE HAMMONTON GARDEN  
APARTMENTS**

WHEREAS, Jack Trocki Development, LLC, from Northfield, NJ, (hereafter referenced to as the applicant) has made an application to the Town of Hammonton for sanitary sewer extension to service the existing 52 apartment units and one single family residential unit within Block 1201, Lots 5 and 5.01 located on Twelfth Street; and

WHEREAS, this application was granted preliminary approval for the proposed sanitary sewer extension by Mayor and Council in November 2005; and

WHEREAS, the applicant has obtained a NJDEP-TWA permit #07-0430 dated 10/23/07 to allow the sanitary sewer extension; and

WHEREAS, the Mayor and Town Council is desirous to resolve conditions where failing on-site septic systems exist and an acceptable remedy is being proposed by the applicants design consultant; and

WHEREAS, the applicant's design consultant has provided a revised set of the design plans which has addressed many of the conditions listed in the preliminary approval originally granted by the Town; and

WHEREAS, the Town Engineer has reviewed the revised submission with the Sewer Superintendent and the Public Works and Transportation Committee and generated a revised report dated October 31, 2008; and

WHEREAS, it is recommended by the PWTC that final sanitary sewer extension approval be considered by the Mayor and Town Council subject to the following conditions:

1. The applicant comply with the conditions noted in the Town Engineer's Report dated October 31, 2008.
2. The applicant will be responsible to pay all connection fees for the project as established by ordinance or as modified per signed agreement established between the Town and applicant.
3. The applicant will be responsible to satisfy any outstanding bills associated with the review of the application filed on behalf of the owner.

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 grant final sanitary sewer extension approval to service the Hammonton Garden Apartment Complex noted as Block 1201, Lot 5 & 5.01 located on 12<sup>th</sup> Street within the Town of Hammonton subject to compliance with the conditions noted above.

#R157-2008 Lease Police Vehicles

#R 157-2008

A RESOLUTION APPROVING THE CONTRACT FOR THE AWARD OF LEASE CONTRACT FOR POLICE VEHICLES

WHEREAS, there exists a need for lease/purchase police vehicle(s) for the Hammonton Police Department; and

WHEREAS, the Chief of Police, Frank Ingemi, has recommended that a professional services contract be awarded to Winner Ford, in the total amount of \$ 123,232.00 for said vehicle(s); and

WHEREAS, funds are available under the appropriate budget appropriations; and

WHEREAS, N.J.S.A. 40A:11-1-et seq. requires that the resolution authorizing the awarding of the contract for professional services without competitive bidding and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton

are hereby authorized and directed to enter into an agreement with Winner Ford, for the award of lease agreement for police vehicle(s), and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law as a State Approved Contractor #A45069; and

BE IT FURTHER RESOLVED, that the contract is subject to the mutual acceptance of the appropriate contact documentation between the Winner Ford and the Town of Hammonton.

#R158-2008 Award Bid Senior/Rec Center

#R 158 -2008  
RESOLUTION

WHEREAS, there has been advertised for bids for the construction of the Hammonton Senior/Rec Center as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, J. Poretta is the low bidder who submitted a conforming bid to meet the Town's requirements at a rate of \$798,500.00.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the construction of the senior/rec center is awarded to J. Poretta for their low bid.

BE IT FURTHER RESOLVED the Clerk is authorized to release bid bond checks submitted with bid.

Action On Resolutions 147-158, excluding 157 lease police vehicles

Motion by Councilperson Marino, seconded by Councilperson Barberio, resolutions 147 – 158, excluding 157 lease police vehicles, be adopted.

Councilman Bertino questioned funding for the award of senior/rec center bid?

Mr. Zuber, Accountant, advised the remainder of the funding will come from Ordinance 6-06.

Councilman Bertino questioned the practice of utilizing downtown parking ordinance funds for senior/rec project and questioned how can we tell the public we are building the senior/rec center with grant funding alone and then utilize funding put in place for another purpose? He feels if we advise the public on a specific funding issue we should follow through with the funding process.

Mayor advised we are funding the senior/rec center with grants and he wishes to continue with the downtown parking projects as well. However, at this point we have not been able to come to an agreement with the property owners to bring these downtown parking projects to fruition.

Councilman Wuillermin stated he feels its better to utilize current funding rather than impose additional bonding on the taxpayers. He feels we will still be able to move forward with the downtown parking projects as soon as we can come to agreement with downtown property owners.

Mayor DiDonato implored the downtown property owners to come to agreement with the town for a common goal. For now, however, we are paying on bonding funds that we are not utilizing. Further, the town CFO has approved utilizing Ord 6-06 funds toward the senior/rec center.

Councilman Bertino agreed with Councilman Wuillermin and Mayor DiDonato concerning completion of pending senior/rec center project and use of CFO approved funding but reiterated he does not feel its proper to promise the public that any project will be funded completely by a grant if it cannot be or will not be funded in such a way.

Mayor DiDonato stressed to Council that if we do not award the bid for senior center this evening then we are, in turn, forfeiting on the \$400,000 grant for same.

A discussion concerning pending roadway restoration projects was initiated, once again, by Councilman Marino. Mayor and Council once again advised Mr. Marino on the status and goal of completion for each pending project.

Councilman Vitalo questioned if we could possibly downsize the senior/rec center building for now and live within the \$400,000 as the seniors are happy at the Fire house anyway.

Councilman Barberio stated the proposed senior/rec center is ideal in size and what it will provide and council should follow through with same. He also advised that there are seniors who advise him that they are happy with the building being located on the Hammonton Lake and have thanked him for same.

Council once again discussed the parking at the proposed senior/rec center to be located at the Hammonton Lake.

#### ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

#### #R157-2008 Lease Purchase Police Vehicles

Motion by Councilperson Bertino, seconded by Councilperson Marino, resolution 157 lease purchase police vehicles be adopted.

A question arose as to the possibility of officially bidding police vehicles, rather than award to Winner Ford this evening as a possible cost savings technique.

A lengthy question and answer discussion was held with Chief Ingemi and Chief Ingemi stated he felt his department was being treated unfairly in terms of safety and support of council in comparison to other awards of bids in other departments.

The Deputy Clerk advised that Winner Ford is a state vendor because they have already been awarded the bid at the state level as the lowest responsible bidder for police vehicles.

Councilwoman Petrongolo stated she attended the Law and Order Committee meeting and agreed to the new police vehicles (which have also been budgeted for 2008), however, there are exceptional offers on vehicles with the current financial crisis and assured Chief Ingemi that council is only trying to save money for the taxpayers in entertaining various purchasing options.

Chief Ingemi then apologized but stated he feels strongly about his department and his employees safety. And through his experience State Vendor Winner Ford supplies police vehicles with necessary equipment and at the lowest price and all police departments buy from them.

Councilman Wuillermin stated Chief Ingemi may have a point in his argument, however, he feels this council has supported the Chief and Police Department in various ways throughout the last couple years in upgrades of computers, etc. which were quite costly.

Chief stated he will spec out a dodge and a crown Victoria for Council.

Motion by Councilperson Bertino, seconded by Councilperson Marino, to rescind their motion to adopt resolution 157 to lease purchase police vehicles. Motion carried.

LICENSE APPROVAL

St. Martin de Porres Church raffle	1/25/09 & 12/7/08
Chapter of Deborah raffle	1/7/09
Hammonton Band Boosters	12/8/08 & 12/13/08

Motion by Councilperson Bertino, seconded by Councilperson Marino, the licenses be approved with correction to January 25, 2009 rather than 2008. Motion carried.

PUBLIC HEARD

Harry Miranda – Blueberry Ridge

Mr. Miranda wanted to advise that the funding for the repairs is from bonds and not tax dollars. He brought up a previous meeting at the club house and at council inwhere they were promised the pond would be fixed when construction was finished. Construction was finalized a year ago and he is asking for action of council as not to have the repairs to the pond fall upon the homeowners in the future.

Mayor advised the pond was discussed at a current meeting and the repairs to same were also discussed. He thanked Mr. Miranda for his concern.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes Approved by Susanne Oddo, Town Clerk/Adm.