

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
Monday, December 22, 2008 at 6:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

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

PRESENT ALSO

Brian Howell, Town Solicitor

#R 159 -2008 Enter Into Closed Session

#R 159 -2008

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 – PBA Grievance, Safety Issue
3. Litigation – COAH and Police Chief
4. Sale – Public Lands

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 Marino, seconded by Councilperson Barberio, resolution 159 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. 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

Regular Meeting – 11/24/08
Special Meeting – 12/1/08
Special Meeting – 12/8/08

Motion by Councilperson Bertino, seconded by Councilperson Wuillermin, the minutes be approved as recorded by the Clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Remington & Vernick Engineers

Mr. Cantwell and Mr. Donofrio, Remington & Vernick Representatives updated Mayor and Council on the Pulte/Blueberry Ridge progress on remedying drainage basin, sink holes, updating punch list, bond company cooperation, sewer extension.

Mr. Brian Howell, Solicitor, stated the sink hole remedy is being conducted. However, the drainage basin is a bond related issue. Further, Mr. Bowman's attorney Mr. Silverstein has advised he is willing to help with regards to pump station related issues

Mr. Donofrio advised when we need to deal with Bond companies to get repairs made, it takes a little longer. He realizes this is frustrating but it does take time because the bond company can contract out the necessary repairs.

Councilman Bertino stated the pump station is owned by the town so Mr. Bowman is not really doing anything for us.

Councilman Bertino questioned reason for sink holes?

Mr. Donofrio responded workmanship.

Councilman Bertino then questioned previous drainage basin test? He mentioned residents concerns of cleaning all material/debris before scraping basin so it doesn't clog again.

Mr. Donofrio explained the reason for draining basin prior to repairing it.

Councilman Bertino questioned bonding?

Mr. Donofrio responded that there is adequate bonding to make necessary repairs.

Councilman Bertino questioned long term issues with percolation?

Mr. Cantwell stated they were not involved with original issue however he hasn't seen anything to make him believe that the basin will not percolate.

Councilman Bertino requested Mr. Cantwell once again review prior percolation tests to be certain that the basin works and to supply all findings to Solicitor and Mayor and Council.

Mr. Donofrio stated he has been involved in this entire process and will continue to do his best to aid in the resolution of same. He stated that all the science and all the drawings are not always accurate.

Councilman Wuillermin questioned at what phase did they begin experiencing problems with the basin and why was something not done at the onset of same rather than waiting until now?

Mr. Cantwell advised there were problems with basin from phase I however they cannot legally hold up the project and had to give the contractor time to finish project and resolve the drainage basin problem afterwards.

Mr. Donofrio stated they realized they had a problem that was going to worsen as they built out.

Councilman Wuillermin stated there is no failsafe in this process. If the entire development is built knowing the drainage basin did not work, where would the water from the additional development drain if phase I was not draining properly?

Mr. Cantwell then stated the drainage basin was percolating originally.

Councilman Marino questioned is the issue with the sink holes finally resolved or is it possible that they will reoccur?

Mr. Donofrio advised yes the sink holes have been remedied but there is always the chance that they can have another sink hole.

Councilman Marino questioned when will this project been completely remedied?

Mr. Cantwell stated depending on basin work it will be completed within months.

Councilman Marino questioned how does the basin tie into the sewer?

Mr. Cantwell advised the original basin overflow goes into a small basin adjacent to PR Civic Assoc.

Councilman Marino questioned is it safe to say by fall 2009 this project will be complete?

Mr. Donofrio is hopeful.

Councilman Bertino questioned should the town first provide sewer in order to have the drainage basin resolved?

Mr. Cantwell stated yes, he suggested Mayor and Council address the sewer issue prior to drainage basin issue.

Councilman Bertino requested ARH provide figures to Mayor and Council in preparation of 2009 sewer budget.

Councilman Wuillermin stated if drainage basin is working according to the design then the water will not drain into the second basin at all.

Mayor DiDonato opened the hearing to the public.

Walt Kelly – 31 Alexander Drive

Mr. Kelly advised the basin has been a problem since phase I. He feels the Mayor and Council at that time should have been on top of the problem. His question is if you couldn't fix the basin then, how do you know you can fix it now?

Mayor DiDonato stated at a meeting he attended with Councilman Bertino the residents of Pulte Development stated they were ok with waiting for the project completion to fix the basin as recommended by professionals.

Mr. Kelly advised the natural flow of water was being blocked by whoever was farming the land. His question is how are you going to fix basin?

Mr. Donofrio stated there was a temporary fix but still under active construction, therefore, the fix was only something to hold over until the project was complete.

John Adolph – 49 Alexander Drive

Mr. Adolph thanked Mayor and Council and Solicitor for repairing dangerous sink holes which were an outstanding critical situation. He advised Pulte placed drains after the roadway was complete which have since closed up with sediment causing yards to fill with water killing the grass and he'd like to see Pulte held accountable for this as he did not see same on current punch list. Mr. Adolph stated the residents will eventually take on the financial responsibility such as drainage basin maintenance. If its normal maintenance they will live with that. But if its sediment and costly, they do not feel they should be responsible. He is asking that the engineer's take this into consideration. The water flowing across Third Street is also causing sediment, leaves, debris. He is asking for a sediment collection box or functionality? He questioned does the sewer problem, pumping station on Old Forks Road does that have anything legally to do with their problem?

Mr. Cantwell advised that the pump station was not part of the original Planning Board approval however legally he'd have to refer to Solicitor. He will also look into something to catch the sediment per Mr. Adolph's request.

Mr. Adolph made himself available as far as advising on punch list items.

Solicitor questioned if Mr. Adolph had a plan showing yard drains?

Mr. Adolph stated no. But he can provide the locations to the Solicitor. He also asked council not to leave Pulte off the hook as they were the original developer. He once again asked for a list of the bonds and if they are applicable. He thanked Mayor and Council.

Mr. Donofrio stated whatever Mayor and Council determine is proper they will add to the punch list as with the yard drains Mr. Adolph referred to.

Chuck Blasbee – 29 Alexander Drive

Mr. Blasbee stated he has water laying in his yard constantly.

Mayor DiDonato suggested any complaints that residents have should go to Mr. Adolph who is in contact with Town Engineers.

Mark Santora – Old Forks Road

Mr. Santora clarified the sewer lid is only 22 feet away from the second drainage pond which was overlooked on original plans. He has a problem with pressure feed lines as the residents would be responsible for same. In 2003 his father received a letter stating he would be supplied gravity feed sewer. It was later determined that was not possible due to elevation. He's asking if they will have corrections made?

Solicitor advised they will keep him informed?

Mr. Santora advised he'd rather have an answer this evening on television.

Councilman Wuillermin questioned the agreement with Mr. Santora and Mr. Colasurdo. He advised he was not involved in that process as much as Mr. Santora was but he understood that council could not correct all the past mistakes but managed to work out a solution. He advised the town will not dig up the entire collection system that side of town. He advised the bankruptcy held up the commitment that Bowman made.

Mr. Santora stated the bankruptcy happened a while ago and he was promised sewer to his property and feels the town not supplying it is wrong.

Mr. Santora then spoke about the basin. Residents knew the basin would not work however they were assured by professionals that it would. They tried to remedy the basin several times since then and nothing has worked. He advised they never signed an easement with anyone to allow them to use their property for drainage. He advised of several problems including a pipe that was not installed properly that he brought to the attention of the DEP in Trenton.

Solicitor questioned Mr. Santora would he be able to come to an agreement this evening in order to remedy this problem?

Mr. Santora stated he'd like to speak with his family privately before answering.

A discussion was held between Mr. Santora and Mr. Donofrio.

Mr. Santora questioned possibility of enlarging basin? He also questioned adequate probing period at end of corrective action as last probing period was not adequate?

Mr. Cantwell stated Municipal Land Use Law requires posting of a maintenance bond which is good for two years.

Mr. Santora stressed not releasing any money until the governing body is certain the basin is working.

Dan Santora – Old Forks Road

Mr. Santora stated we never agreed to our property being flooded. He suggested developer pump on their own property. He also stated that if everyone did their job properly there wouldn't be a drainage problem to begin with.

2. Ordinance #39-2008 Exchange Land

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 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.

3. Ordinance #40-2008 Vacate Commerce Way

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

No one desired to be heard.

Motion by Councilperson 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.

4. Ordinance #41-2008 Salary COAH Liason

Motion by Councilperson Bertino, 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 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.

RESUME REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

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

ADMINISTRATION / QUALITY OF LIFE-Councilperson Barberio

Administrative Committee meeting update policy and procedures

Meeting regarding line clearing and pruning issues with Atlantic Electric to meet with Environmental Commission

BUSINESS AND INDUSTRY-Councilperson Petrongolo

Attended Kessler Hospital Meetings

No other report this evening

EDUCATION-Councilperson Bertino

Board of Education referendum passed

Wished all a happy holiday

PUBLIC WORKS-Councilperson Wuillermin

Report on County single stream recycling program and resolution this evening

Councilman Bertino questioned exclusion of all commercial establishments in proposed agreement, obviously to try to recoup funds to provide the new toters?

Solicitor advised the current town ordinance already excludes commercial establishments.

Councilman Wuillermin stated he feels accepting this proposal in this market would be advantageous to the town.

Mayor explained the town will know the cost of recycling for 5 years but if the market changes the town has a 90 day window to leave the contract.

Councilman Marino questioned if Councilman Wuillermin have an option to pick up commercial establishments in the future?

Councilman Bertino advised our ordinance does not permit same.

LAW AND ORDER-Mayor DiDonato

Cell phone reimbursement resolution

Report to hold off on vehicle purchases until 2009 budget

Report that Chief Frank Ingemi will not be retiring and he's looking forward to working with him in 2009

Councilperson Marino questioned if the closing of Mullica Twp rescue squad would affect our Hammonton Rescue Squad?

Mayor stated we will need to meet with our Hammonton Rescue Squad to ascertain how this will affect their services.

Chief concurred.

Councilperson Marino questioned how long will they delay purchase of police vehicles?

Mayor responded a few months in anticipation of 2009 budget.

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

1. 1.5 Million Gallon Water Storage Tank Painting (11-30136.03):

The water tank exterior painting has been completed with only the "Town of Hammonton" logo remaining and some minor punch list items. Due to the present weather conditions and after discussions with the Water Superintendent, the contractor and the tank painting inspector, we would suggest that a work stoppage be approved. We would also recommend that an additional 8 half days of work be approved for Mumford Bjorkman Assoc., Inc. in order to complete the remaining inspection work scheduled for this spring.

Motion by Councilperson Wuillermin, seconded by Councilperson Marino, the Mayor and Council authorize the following:

1. Project change order #1 be approved for Corrosion Control Corporation of Pedricktown, NJ to allow for a stoppage of work effective 12/05/08 which will begin again on March 16, 2009. No increase of time contract calendar days to complete the work is requested. Therefore, the new contract completion date will be March 26, 2009.
2. An additional 8 half days of work be approved for Mumford Bjorkman Associates of New Castle, DE, to complete the remaining tank inspection work and a purchase order in the amount of \$2300.00 be issued.
3. That a purchase order in the amount of \$1850.00 be issued to Adams, Rehmann & Heggan Assoc., Inc., in order to complete the remaining inspection, administration, invoicing and closeout documents for the project.

Councilman Bertino questioned previous anticipated time phrame?

Mr. Bob Vettese of ARH advised contractor is not asking for extension of their contract.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

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

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

2. Vine Street and Second Street (11-40033)

The Contractor is substantially complete. The punch list appears to be addressed and we recommend this project is closed out. There is a final change order for this project and it should be noted that the original contract value was \$973,558.75; the final contract value based on as-built conditions is \$943,035.25, hence there is a net deduction of \$30,523.50 on the project.

Motion by Councilperson Marino, seconded by Councilperson Vitalo, authorize a Final Quantities Change Order to Jersey Construction for a contract reduction amount of \$30,523.50; bringing the final contract value to \$943,035.25.

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. ROSI Green Acres Program Diversion (11-75003):

As previously reported, the Town has been attempting to remove the 11th Street recreation component from the Recreation and Open Space Inventory (ROSI). The site in question is 6.54 acres, and is valued according to the tax assessor at \$413,923.14. In order to remove this site off the ROSI, the Town must provide land at an equal or greater value to the \$413,923.14 designated as open space. ARH has prepared a list of available Town owned properties to designate as open space.

This list of properties was determined by first searching all available Town owned vacant properties. The value of each property was then obtained and summed to obtain a total of the assessed value. We believe that the assessed values may be low and have asked the tax assessor to review the list of properties in terms of comparable sales in an effort to increase the total value to match the value assigned to the 6.54 acres in question.

The list of properties proposed was discussed at the PWTC meeting. An observation that some of the properties on the list may produce a better financial outcome to the Town if offered for sale as opposed to being placed on the open space inventory. Concurrently, the sale price which is assumed to be much greater than the assessed value will produce a current comparable sale value for other properties that will be offered to resolve the ROSI diversion exchange.

There are three (3) specific properties that fall into the category where a sale may be more advantageous as opposed to designating as open space. Two properties are on Eighth Street, opposite the former

landfill/current transfer station and are more specifically identified as Block 701, Lot 6 (14.36 ac.) and Block 701, Lot 7 (5.92 ac.). The third property is located along the paper street, Third Road and is identified as Block 701, Lot 9 (9.48 ac.). In order to start this process the PWTC is recommending that these parcels be offered for public auction. In so doing they are seeking consensus from Council to authorize the Solicitor to prepare the necessary documentation to achieve this goal. We have provided an aerial photo of the three properties noted above.

The research into the ROSI diversion has allowed the Town to evaluate other Town owned properties and their potential use in the future. As noted, a fair percentage of the vacant lands owned by the Town will be used in the equation to offset the 6.54 acre diversion which was the initial task of the research. There may be a subsequent recommendation by the PWTC to offer for auction other properties that may yield a greater value as sellable acreage as opposed to dedication to open space in perpetuity.

Councilman Wuillermin advised that even though his property is contiguous, he was not one of the interested property owners and he is recusing himself from this entire bidding process.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, authorize Solicitor to prepare documentation for the auction (sale) of parcels, Block 7.01, Lots 6, 7 and 9.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Recused

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC WORKS INFORMATION 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 the Contractor has provided additional costs (where warranted). We are currently reviewing these costs with the County. We will keep Council apprised of further updates. The contractor's payment invoice of October was forwarded to the County for review to determine what portion of the invoice would be reimbursable by the County and which portion would remain the Town's responsibility for payment consideration. We received the County's response and forwarded same to Frank Zuber for appropriate action.

5. 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 later this month.

Subsequently the lighting, irrigation and electrical designs are underway. We did receive budget estimates on the lighting and will discuss further with the Recreation Committee.

6. Hammonton Lake Park (11-90028):

At this time the Pinelands and Cape-Atlantic SCD permits have been obtained. At the last Recreation Committee meeting we had a preliminary discussion related to the phasing of the project from a

construction standpoint. We have begun working on a proposal for ARH's services to complete the phasing and oversight of the construction for this project which we will review with the PWT Committee at a subsequent meeting.

7. **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. In addition to the roadway work, there is currently discussion related to replacing and increasing the size of the old water main along Fourth Street to enhance the overall water system operation while, providing a better connection from the Fourth Street well and the proposed 12" main along Route 54. We will be discussing this option further with the PWT Committee regarding work, permitting and funding required to complete this task.

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

We have completed the majority of the design for the project and have reviewed the estimated construction costs to complete the work. The present ACIA allotment of \$70,000.00 and the Town's share will not provide sufficient funds to complete all the work required. We have discussed the following options with the ACIA representatives which we will discuss with the PWT Committee in further detail before seeking an approval recommendation from the Mayor and Council to bid.

Divide the construction work into two separate projects as follows, while also requesting additional funds to complete the work for both as separate or combined projects:

- A. Complete the ADA drainage and road work at the Third Street/Walmer Street intersection as one project.
- B. Complete the Washington Street reconstruction work involving curb, sidewalk, drainage, water main replacement, sanitary sewer replacement, along with the roadway reconstruction extending between Twelfth Street and Orchard Street as a separate project.

We have sent a letter to the ACIA notifying them of the potential options stipulated above. Once we discuss these options with the PWT Committee and a final decision is made by the Mayor and Council we will officially provide a request to the ACIA for consideration.

Councilman Vitalo stressed the need to complete roadway projects in 2009 budget, especially Third and Walmer.

9. **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 agreements be signed by the property owners, then ARH could provide Council with a 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 have provided a response to the County related to both the Round 7 and Round 8 properties.

10. **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. We provided a response to the County related to the status for the two properties noted above.

11. **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.

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

We will continue 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.

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

As discussed with the PWT Committee and the Town Solicitor, we directed a letter to the NJEDA regarding the possible redevelopment of the Celona parcel in order to secure the project funding offered by the NJEDA.

14. **11th 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 complete their comments the Case Manager will finalize the report and provide a letter of finding to the Town. We will keep Council informed of further progress.

SEWER & WATER INFORMATION ITEMS

15. **Route 54/Bellevue Avenue Utilities (11-50120)**

We have provided a resubmission to the latest review letter related to the NJDEP-BSDW application. We do not anticipate additional review comments, but we will keep the Town informed as we obtain more information. Related to project funding, we have reached out to USRD to determine if additional funds are available since the cost estimates from 2006 no longer apply. We are currently waiting for a response. It is our intent to have the plans and specifications forwarded to USRD seeking permission to bid the project soon.

16. **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 the NJDOT to obtain permission to detour traffic onto Route 30. The detour plans are currently being routed to NJDOT, Atlantic County and to Mullica Township as the detour will affect all of these entities.

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

Progress continues toward contract closeout. We will have a final report to present to Council in January.

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

As reported, progress on meeting with the various parties was slowed by the Pinelands wanting to wait until the conclusion of the USGS report presentation to the Commission. Due to the assistance of Southern Enforcement, a meeting will be scheduled in early January to advance discussion on reuse and drip irrigation alternatives as a means to increase the rate of discharge to groundwater. Dates are being reviewed for this meeting.

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

Major Modification Application:

We attempted to obtain a progress report from NJDEP but have not received a reply to our phone and e-mail inquiries. It is our goal to see if NJDEP will release findings prior to the anticipated release date of February 2009.

Future Well:

As previously reported, a meeting was held with NJMIC representatives to discuss the placement of a new well along Chew Road on property currently owned by them. We are awaiting comments back from NJMIC on the conceptual site plan for the desired property location. Conclusion on this matter will allow the Town to pursue the testwell program.

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

We have received review comments from the NJDEP and have responded 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.

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.

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

We are continuing with the process of revising the design plans for Phase I portion of the project to allow for the installation of the sanitary sewer within existing or proposed public right-of-ways. We are working on the design of the pump station to service this area of the Town in conjunction with the master plan objective.

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.

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

ARH is preparing a proposal to modify the present site and project design plans to reflect the modifications to the building plans and specifications for bidding purposes and to obtain approvals and permits from the various agencies as required to address those modifications.

SOLICITOR REPORT

Report on meeting with Scott Rivera today concerning 13th Street & other roadways icing

Pulte

COAH Resolution Development Fee Ordinance

NJM Ordinance

Approval of House Rehabilitation Program Subordination Agreement

Motion by Councilperson Bertino, seconded by Councilperson Vitalo, authorize subordination agreement for 205 S. Liberty Street.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

SOLICITOR REPORT CONTINUED

Green Committee Resolution
Bus Shelter (Referred to Quality of Life Committee, Police Chief and RMC for insurance ramifications)
Proposed Sale of Municipal Lands

MAYOR REPORT

Wished everyone a Merry Christmas and prosperous New Year

TOWN CLERK/ADMINISTRATOR REPORT

1. Award Quote Asbestos Removal-Sr./Rec Center to Pernaco Inc. \$2500.00
2. Authorize 3 month Sick Leave of Absence without pay Lorelei Alden
3. Authorize Hire Court Secretary \$100 per session on court days during Court Clerk absence
4. Finalize CS promotion Lou Penza Sewer Oper/Rep previously made 1/22/01 Council Meeting
5. Finalize title Alex DeSilvio Mechanic

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, Town Clerk action items 1-5 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.

APPROVE Transfer Resolution, Bills, Bond Ordinances, Grants
Transfer Resolution #R159A-2008

Motion by Councilperson Marino, seconded by Councilperson Barberio, approve transfer resolution, bills, bond ordinances and grants.

ROLL CALL

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

Vitalo - Y
Wuillermin - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. Petition from workers/visitors/bus drivers Innova Rt. 30 request bus shelter (M&C must auth NJ Transit and upkeep shelter)
2. Request close tax office to public Dec 23-31 during tax sale
3. Accept Anthony Parzanese Jr. as a full member Co 1 (he was investigated as a junior member)
*per Chief Michael Ruberton and Det. Frederico

Motion by Councilperson Marino, seconded by Councilperson Bertino, refer item 1 to Quality of Life Committee, Police Chief and RMC for review of agreement and approve items 2 and 3.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

REPORTS-November 2008

Town Clerk
Registrar
Construction Official

RESOLUTIONS

#R160-2008 Cancel Unexpended Budget Appropriation

TOWN OF HAMMONTON

RESOLUTION # 160 -2008

CANCEL UNEXPENDED BUDGET APPROPRIATION

WHEREAS, the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, desire to cancel an unexpended balance within the 2008 Water Utility Fund Budget; and

WHEREAS, canceling unexpended balances are permitted pursuant to N.J.S.A. 40A:4-60;

NOW, THEREFORE, BE IT RESOLVED THAT the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey, hereby approve the following cancellation of an unexpended balance in the 2008 Water Utility Fund Budget:

WATER UTILITY OPERATING FUND

Capital Improvement Fund

\$1,000,000.00

BE IT FURTHER RESOLVED THAT the \$1,000,000.00 will be utilized to pay down Water Department debt.

#R161-2008 Salary COAH Liason

#R 161 -2008

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance #41-2008 fixed a salary range for the employment of certain officials and employees of the Town of Hammonton, County of Atlantic, New Jersey; and

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

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

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

JANUARY 1, 2009

<u>NAME</u>	<u>TITLE</u>	<u>TOTAL SALARY</u>
Frank Zuber	Municipal Housing Liaison	\$5,000.00

AND BE IT RESOLVED that the said salary shall be in place for the calendar year 2009.

#R162-2008 Set Meeting Dates 2009

#R 162 -2008

WHEREAS, the Open Public Meeting Act otherwise known as Chapter 231 of the Public Laws of 1975 requires that all municipalities adopt a Resolution setting the time, place and date of their meeting; and

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

1. There shall be an Organization Meeting at 12:00 o'clock noon on January 1, 2009 at which time Mayor and Common Council of the Town of Hammonton will reorganize for the full year and conduct such business, including emergent matters, as is necessary.
2. The following is the list of **council meeting dates for year 2009**. Said meetings will be held at 6:00 p.m. and begin with an executive session, if necessary, which will adjourn to the open portion of the meeting at 7:00 p.m., in the Town Council Chambers, Town Hall, 100 Central Avenue, Hammonton, New Jersey 08037:

January 26	July 27
February 23	August 24
March 23	September 28
April 27	October 26

May 18
June 22

November 23
December 21

- 3. That the council meetings will be open to the public.
- 4. That the Hammonton News, the Hammonton Gazette and the Atlantic City Press are those newspapers designated as the papers to which all notices are to be sent as to all meetings not specifically provided for in this Resolution to Chapter 231 of the Public Laws of 1975.
- 5. That minutes shall be kept and provided as required by said statute by the Town Clerk of all the meetings set forth above and shall be available to the public pursuant to the requirements of said law.

#R163-2008 Commitment Toward Sustainable Renewable Energy Conservation

#R 163-2008

WHEREAS, the Mayor and Council of the Town of Hammonton formed a Green Committee to investigate and promote green initiatives and projects;

WHEREAS, the Town of Hammonton is committed to sustainable renewable energy conservation, recycling initiatives, and providing direction toward a greener future;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the Town of Hammonton supports the Green Committee efforts and is committed to sustainable renewable energy conservation.

#R164-2008Amend #R102-2000 Section C Health Benefit Buyout

#R164-2008

**RESOLUTION AMENDING
#R102-2000 SECTION C.**

WHEREAS, it has been recommended by the Administrative Committee that the employee insurance buyout as described in #R102-2000 Section C. be amended as follows:

c) employees who select Plan B Cash-Out shall be entitled to receive payment as follows:

Single Coverage	\$ 1,200.00
Parent Child(ren)	\$ 2,400.00
Family or Husband/Wife or Partner	\$ 3,600.00

WHEREAS, Employees will receive the buyout in conjunction with the first pay period in the month of December of any year in which they participate in the buyout plan. Any employee terminating his/her employment prior to the end of a year in which they participate in the buyout program shall receive their payment in conjunction with the next available date following such termination.

WHEREAS, employees must opt out of all benefits or none. (Example: employee must opt out of Medical, prescription, dental and vision or not opt out.)

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 Resolution #R102-2000 Section C. be amended effective January 1, 2010.

#R165-2008 Tax Resolution December

#R 165-2008

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
2601-27	Galletta	479 11th	0.89	Tax	cancel small balance	Rosie
2602-12	Ford	415 Bernshouse	0.06	Tax	cancel small balance	Rosie
2602-14	Dalley	220 S Grand	0.50	Tax	cancel small balance	Rosie
2607-4	Acevedo	211 S Washington	0.07	Tax	cancel small balance	Rosie
2709-36	Gregorio	400 N Packard	0.07	Tax	cancel small balance	Rosie
2904-13	Schenk	219 Cherry	0.08	Tax	cancel small balance	Rosie
2907-6	Bruno	332 Central	0.01	Tax	cancel small balance	Rosie
3102-1	Scullin	678 E Pleasant	0.29	Tax	cancel small balance	Rosie
3105-4	Vegas	202 4th	0.20	Tax	cancel small balance	Rosie
3106-1	Galli	64 4th	0.30	Tax	cancel small balance	Rosie
3403-29.10	Santilli	14 Cara	0.10	Tax	cancel small balance	Rosie
3601-30	Ingemi	517 Marlyn	0.71	Tax	cancel small balance	Rosie
3603-1	Terruso	219 Broadway	0.04	Tax	cancel small balance	Rosie
3801-46.01	Massarelli	860B Central	0.54	Tax	cancel small balance	Rosie
3907-7	Palmieri	121 Terrace	0.08	Tax	cancel small balance	Rosie
4012-1	Perna	705 S 1st	0.01	Tax	cancel small balance	Rosie
4302-34	Daniello	321 Boyer	0.01	Tax	cancel small balance	Rosie
4501-6	Caglianone	154 Pine	0.11	Tax	cancel small balance	Rosie
4604-2.03	Peterho	47 S WHP	0.40	Tax	cancel small balance	Rosie
4901-10Q	Bertino	533 Pleasant Mills	0.10	Tax	cancel small balance	Rosie
4902-14	Lindsay	418 Pleasant Mills	0.01	Tax	cancel small balance	Rosie
4912-1-124	Berger	124 Jamestown	0.02	Tax	cancel small balance	Rosie
5101-16.04	Verdi	260 Myrtle	0.06	Tax	cancel small balance	Rosie
5101-19.01	Rapp	630 Pine	0.49	Tax	cancel small balance	Rosie
5101-22	Zarn	576 Pine	0.42	Tax	cancel small balance	Rosie
5101-22Q	Zarn	576 Pine	0.13	Tax	cancel small balance	Rosie
5402-5Q	Bartmer	780 Laurel	0.01	Tax	cancel small balance	Rosie
5402-7Q	Bartmer	750 Laurel	0.01	Tax	cancel small balance	Rosie
5504-2	Bridge	295 Bridge	0.06	Tax	cancel small balance	Rosie
4301-2-187	Massarelli	187 Yorktown	78.30	Water	Remove excess 2009	Jim
201-3	Dorsey	992 14th	0.01	Tax	cancel small balance	Rosie
303-6.03	Gazzara	425 n 2nd	0.28	Tax	cancel small balance	Rosie
303-6.04	Ranere	421 n 2nd	0.34	Tax	cancel small balance	Rosie
602-10	ews prop	676 s 2nd	0.18	Tax	cancel small balance	Rosie
802-8	Santora	980 S 2nd	0.83	Tax	cancel small balance	Rosie
902-7.01	Raso	205 W 15th	0.01	Tax	cancel small balance	Rosie
1102-35	Chatten	747 12th	0.19	Tax	cancel small balance	Rosie
1803-11.09	Maita	17 Ann	0.01	Tax	cancel small balance	Rosie
1804-5	Garcia	16 Alexander	0.03	Tax	cancel small balance	Rosie
1805-9	Springfield	23 Jerry Lane	0.43	Tax	cancel small balance	Rosie
1807-25	Stewart	16 Jerry Lane	0.09	Tax	cancel small balance	Rosie
2508-9	Palmieri	20 S Grand	0.01	Tax	cancel small balance	Rosie
2512-9	Cassano	137 S Grand	0.10	Tax	cancel small balance	Rosie
2519-7	Cornelius	101-103 12th	0.08	Tax	cancel small balance	Rosie

4912-1	De Marco	Yorktown/Jamestown	832.58	Tax	posting error see 4912-114	Rosie
4912-1-114	DeSordi	114 Jamestown	832.58	Tax	posting error see 4912-1	Rosie
2703-4	Mollo	205-207 N Egg Harbor	250.00	Tax	Trans to 2009	Rosie
4114-9	DeMarco	245 Lakeview	250.00	Tax	Trans to 2009	Rosie
2512-3	Schleter	320 Passmore	250.00	Tax	Trans to 2009	Rosie
2703-4	Mollo	205-207 N Egg Harbor	50.00	Sewer	Trans to 2009	Rosie
2703-4	Mollo	205-207 N Egg Harbor	25.00	Water	Trans to 2009	Rosie
4114-9	DeMarco	245 Lakeview	50.00	Sewer	Trans to 2009	Rosie
4114-9	DeMarco	245 Lakeview	25.00	Water	Trans to 2009	Rosie
2512-3	Schleyer	320 Passmore	50.00	Sewer	Trans to 2009	Rosie
1102-38	Davis	783 12th	224.46	Water	incorrect read remove excess	Jim
1102-38	Davis	783 12th	48.29	Water	incorrect read corrected excess	Jim
1803-11.32	Buzby	27 Alexander	1,353.02	Tax	Remove billing for Nov. Tax exempt	Rosie
2904-6	Bartolone	230 Grape	140.40	Water	Remove excess 2009	Rosie
3004-27	Henao	267 Park	165.02	Sewer	Trans to 2009	Rosie
2810-5.1	Vision Prop	214 Bellevue	125.00	Sewer	Trans to 2009	Rosie
2810-5.1	Vision Prop	214 Bellevue	34.50	Water	Trans to 2009	Rosie
1102-38	Davis	783 12th	176.17	Water	Trans to 2009	Rosie
1803-11.39	DiPinto	41 Alexander	50.33	Water	Trans to 2009	Rosie
2402-18	Minock	421 Wilbur	67.94	Water	Trans to 2009	Rosie
2713-8	Gibase	214 N Packard	27.90	Water	Trans to 2009	Rosie
2810-6	Vision Prop	216 Bellevue	7.82	Water	Trans to 2009	Rosie
3004-27	Henao	267 Park	78.50	Water	Trans to 2009	Rosie
4301-2-184	Massara	184 Yorktown	4.65	Water	Trans to 2009	Rosie
4801-5	LaPleur	33 Main	46.32	Water	Trans to 2009	Rosie
3702-2.1	Ingemi	530 S Egg Harbor	35.25	Water	Trans to 2009	Rosie
3714-13	Hudson	415 S 1st	331.60	Sewer	Remove excess 2009	Jim
1901-8.01	Ferringno	540 N Chew	331.60	Sewer	Remove excess 2009	Jim
2002-2	Domenico	627 N Egg Harbor	305.60	Sewer	Remove excess 2009	Jim
2601-2	Reich	620 Line	167.80	Sewer	Remove excess 2009	Jim
2713-14	O'Shea	421 E Pleasant	180.80	Sewer	Remove excess 2009	Jim
2713-18	Continisio	209-213 Tilton	791.80	Sewer	Remove excess 2009	Jim
2818-25	Sayer	23 Tilton	300.40	Sewer	Remove excess 2009	Jim
2904-6	Bartolone	230 Grape	331.60	Sewer	Remove excess 2009	Jim
3004-16	Black	306 Chestnut	271.80	Sewer	Remove excess 2009	Jim
3101-6	Tzaferos	90 N Liberty	283.60	Sewer	Remove excess 2009	Jim
3105-20	Rongone	534 French	342.00	Sewer	Remove excess 2009	Jim
3203-2	Sayer	508 Bellevue	1,072.60	Sewer	Remove excess 2009	Jim
3206-8	Birnbaum	420 Peach	183.40	Sewer	Remove excess 2009	Jim
3403-10	D'Agostino	356 S Liberty	173.00	Sewer	Remove excess 2009	Jim
3403-24	Massara	75 Broadway	331.60	Sewer	Remove excess 2009	Jim
3403-46	Vannello	614 Grape	154.80	Sewer	Remove excess 2009	Jim
3701-7	Flores	434 S Egg Harbor	729.40	Sewer	Remove excess 2009	Jim
3801-51	Falciani	876 Central	111.24	Sewer	Remove excess 2009	Jim
4301-3-187	Massarelli	187 Yorktown	279.60	Sewer	Remove excess 2009	Jim
4301-2-195	Perrone	195 Yorktown	173.00	Sewer	Remove excess 2009	Jim
4301-2-195	Perrone	195 Yorktown	28.14	Water	Trans to 2009	Rosie
3301-33.1	Todd	360 Valley	1,598.47	Sewer	Posting error to 3301-33.2	Rosie
3301-33.2	Todd	360 Valley	1,598.47	Sewer	Posting error from 3301-33.1	Rosie
3502-3	Brown	10 N whp	4,305.60	Tax	refund Cty Bd. Jud '07, '08	Roe/MJ
4912-1-161	DeStefano	161 Yorktown	279.60	Sewer	Remove excess 2009	Jim
4908-2-023	Sutedja	23 Jamestown	279.60	Sewer	Remove excess 2009	Jim
2513-8	Martinelli	31 Woodman	331.60	Sewer	Change min. Broken Meter	Jim

2522-3	Bitler	16 W Orchard	331.60	Sewer	Remove excess 2009	Jim
3207-19	Sarao	547 Grape	503.20	Sewer	Remove excess 2009	Jim
3203-22	Carrafiello	545 Peach	534.40	Sewer	Remove excess 2009	Jim
3403-47	Miller	620 Grape	656.60	Sewer	Remove excess 2009	Jim
3103-6	Lista	416 4th	219.80	Sewer	Remove excess 2009	Jim
3605-16	Shannon	11 S Liberty	6.18	Sewer	Remove Excess House Vacant	Jim
2905-56	Sec Housing	373&369 S Egg Harbor	253.60	Sewer	Remove Excess House Vacant	Jim
3601-33	Weimar	720 Campanella	357.60	Sewer	Broken meter Remove excess	Jim
2805-7	Rodriquez	116 S 2nd	331.60	Sewer	Remove excess 2009	Jim
2201-9	Will	559 N 3rd	331.60	Sewer	Remove excess 2009	Jim
1201-32	Loeaza	46 S Chew	331.60	Sewer	Remove excess 2009	Jim
2302-4	Brown	737 Fairview	386.20	Sewer	Remove excess 2009	Jim
2603-9	Torres	245 S Grand	357.60	Sewer	Remove excess 2009	Jim
4302-27	Mazza	391 Boyer	2,517.00	Water	Refund water/sewer conneccion fee	Jim
3403-21	Santomas	121 Broadway	331.60	Sewer	Remove excess meter est.	Jim
3604-6	Fackelman	800 Woodlawn	331.60	Sewer	Remove excess meter est.	Jim
2301-23	Iantorno	813 Fairview	370.80	Sewer	Remove excess meter est.	Jim
3101-43	Brown	650 Fairview	331.60	Sewer	Remvoe excess meter est.	Jim
3101-23	Gibase	514 Fairview	370.80	Sewer	Remove excess meter est.	Jim
2712-3	Graf	422 Pratt	250.00	Tax	S/C allowed	Rosie
2712-3	Graf	422 Pratt	25.00	Water	Trans to 2009	Rosie
2712-3	Graf	422 Pratt	50.00	Sewer	Trans to 2009	Rosie
2702-3	Pagan	216 Pratt	411.00	Sewer	Remove excess meter est.	Jim
2701-8	Mattia	420 N 2nd	351.20	Sewer	Remove excess meter est.	Jim
2706-19	McLaughlin	419 N 2nd	331.60	Sewer	Remove excess meter est.	Jim
2711-3	Mischlich	318 French	331.60	Sewer	Remove excess meter est.	Jim
3201-5	Presbyterian	329 Vine	331.60	Sewer	Remove excess meter est.	Jim
2002-3.1	Donemico	615 N Egg Harbor	331.60	Sewer	Remvoe excess meter est.	Jim

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.

#R166-2008 Cell Phone Reimbursement (Clerk advised she received several written complaints from employees and unions concerning this resolution)

RESOLUTION # 166 -2008
A RESOLUTION ADOPTING A POLICY
FOR CELL PHONE REIMBURSEMENT

WHEREAS, the Mayor and Council have determined that cell phone purchases / repairs / replacements have become costly in the Town of Hammonton; and

WHEREAS, the Mayor and Council wish to develop a policy that would recognize those employees who are already determined to be "emergency employees" per their employee badges and who must have use of a cell phone for after hour work related emergencies with the Town of Hammonton; and

WHEREAS, the Mayor and Council wish to develop a policy in which the employee is reimbursed for their cell phone use directly related to the Town of Hammonton; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the following employees are considered "emergency employees" and must retain use of a cell phone for their work with the Town of Hammonton:

Highway Department

Road Superintendent
Assistant Road Superintendent
Mechanic
Equipment Operator
Truck Driver

Water Department

All employees (4) – on call for emergencies

Sewer Department

All employees (5) – on call for emergencies

Recreation Department

Recreation Supervisor

Construction

Property Maintenance Official
Construction Official

Computer

Computer Tech

Administration

Town Clerk/Administrator

Police Department

Police Chief
Captain
2 Lieutenants
3 Detectives
5 Sergeants
4 K-9 Officers

Fire Department

Fire Chief
Assistant Fire Chief
Administrative Assistant

BE IT FURTHER RESOLVED that all cell phones for above referenced employees will be purchased by the employee and the employee will be reimbursed for its use with the Town of Hammonton \$15 per month/\$180 annually (pro rated when necessary).

BE IT FURTHER RESOLVED that in the event an "emergency employees" personal cell phone is damaged while being used during work and for work purposes, then the Town will reimburse the employee for their new cell phone.

BE IT FURTHER RESOLVED the cell phone reimbursement will become effective 2/1/09 in order to allow for a smooth transition.

BE IT FURTHER RESOLVED that an employee shall have the right to submit to the clerk/administrator for possible reimbursement, beyond the normal monthly (\$15.00), any bill covered by this resolution which reflects extraordinary usage necessitated by an identifiable municipal emergency. Any bill not submitted within 30 days following the end of the billing cycle for which excess reimbursement is sought, shall not be considered by the clerk/administrator. The clerk/administrator shall make a recommendation to Mayor and Council regarding such a request and the decision by Mayor and Council to approve or disapprove the recommendation shall be final.

#R167-2008 Tax Abatements

RESOLUTION # 167 - 2008

RESOLUTION GRANTING TAX EXEMPTION PURSUANT
TO ORDINANCE 8-2000

WHEREAS, the following properties have made application pursuant to Ordinance 8-2000 for a five (5) year exemption and abatement application:

Block 1103 Lot 11
Block 3504 Lot 16

Illiano; Alfonso, Pasquale & Michele
Sliwecki, Terri & Bertino, Lori

WHEREAS, Mary Joan Wyatt, Tax Assessor of the Town of Hammonton has reviewed application(s) and determined property(s) qualify for exemption and/or abatement consistent with the provisions of Ordinance 8-2000.

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 the above listed property(s) be granted a tax exemption per Ordinance 8-2000 for no more than (5) years.

#R168-2008 Interlocal Services Agreement-ACUA Recycling

RESOLUTION # 168 -2008

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT FOR
RECYCLING SERVICES 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 recycling services; and

WHEREAS, the Atlantic County Utilities Authority provides such services.

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 for recycling services.

#R169-2008 COAH Development Fee Resolution

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, resolutions 160-169 (excluding Resolutions 166 cell phones and 169 Development Fees) be adopted.

Councilman Bertino questioned Solicitor concerning union letters opposing cell phone reimbursement.

Solicitor suggestion for cell phone resolution that language be included for employee to appeal if the minutes go over town reimbursement.

Motions revised with amended language on health insurance buyout per Solicitor.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y (recused 165 and 167 only)

Mayor DiDonato declared the motion carried.

#R166-2008 Cell Phone Reimbursement (taken up separately)

Councilman Vitalo questioned legality of making an employee own a cell phone for employment.

Councilman Barberio questioned annual cell phone bill?

The Clerk advised \$17,000.00.

Mayor DiDonato advised other public sectors are doing this and we've already had key department heads hand in their cell phones for the stipend.

Motion by Councilperson Marino, seconded by Councilperson Bertino, resolution 166 be adopted with amended language per Solicitor.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - N

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R169-2008 COAH Development Fees

Motion by Councilperson Marino, seconded by Councilperson Barberio, resolution #169-2008 be adopted.

Councilperson Bertino stated he does not agree with the State imposing fees on the municipality and does not feel in doing so will benefit anyone. He also had this discussion with COAH in that if its mandated statewide why does the municipality have to adopt local ordinances and resolutions.

Councilman Wuillermin questioned will the fact that the town does not act will it relieve the developer?

Solicitor responded no and advised on COAH regulations and encouraged Mayor and Council to adopt this resolution.

Councilman Wuillermin questioned what do we put in jeopardy if we do not adopt?

Solicitor advised we'd lose our COAH money and be kicked out of the system which is deemed a bad thing.

Councilman Vitalo stated he does not want to discourage builders in these bad times therefore he is against this resolution.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - N

Marino - N

Petrongolo - Y

Vitalo - N

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Mayor Presentation Plaque Councilmen Jerry Vitalo and Anthony Marino

Councilman Vitalo stated its his Christmas Wish to serve the taxpayers and he will continue to serve the taxpayers in the best role that is permitted him. He wished everyone a Merry Christmas and Happy New Year.

Councilman Marino thanked everyone who attends and views council meetings from home. He stated its been an honor to serve. He assured everyone that he will not be far. In visiting residents he can understand why people are moving to Hammonton and not away from Hammonton. He mentioned different issues that have come before him and committees he's served. He mentioned the military's dedication. He thanked everyone and wished them a Merry Christmas.

PUBLIC HEARD

Tino Catania – Hammontonian

Mr. Catania stated this Administration has done a remarkable job and he's proud to live in Hammonton. He commended downtown Hammonton. He asked that the beautification be extended to the outskirts of Hammonton as well. He proposed a tax abatement for upgrades made to homes in order to encourage same.

Solicitor will review state statute to ascertain if it can be utilized for residential.

Motion by Councilperson Marino, seconded by Councilperson Vitalo, direct Solicitor to review tax abatement legalities for home improvements that do not increase the size of the home.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Marino - Y

Petrongolo - Y

Vitalo - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

MEETING ADJOURNED

Motion by Councilperson Vitalo, seconded by Councilperson Marino, the meeting be adjourned. Motion carried.

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.