

Regular Meeting of Mayor and Council
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
January 24, 2011 at 6:00 P.M. Executive Session
7:00 P.M. Public Session
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:
Barberio - Present
Bertino - Absent
Esposito - Present
Gribbin - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor
Frank Zuber, COAH Rep
Bob Vettese of ARH Town Engineer, entered during executive session
Shirley Bishop, Housing Consultant, entered during executive session
MaryBeth Lonergan, Court Master, entered during executive session
Michael Malinsky, Planning Board Solicitor, entered during executive session

Executive Session

#R 021A-2011

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. Amendment to Fair Share Housing Element of Hammonton Master Plan
2. Consideration of Settlement Agreement: NIBR vs. Town of Hammonton & Hammonton Planning Board
3. Solicitor Conflict in complaint & summons against police officer-Solicitor to obtain alt. attorney
4. Water/Sewer merger requirements

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 Rodio, seconded by Councilperson Gribbin, enter into executive session.

ROLL CALL TO ENTER INTO EXECUTIVE SESSION:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes

Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Authorize Inclusion of Planning Board Members in Executive Session

Motion by Councilperson Rodio, seconded by Councilperson Barberio, authorize planning board member attendance in executive session during the NIBR COAH Settlement Discussion and Amendment to Fair Share Housing of the Master Plan discussion only.

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

FIVE MINUTES RECESS

RESUME REGULAR MEETING-MAYOR AND COUNCIL ROLL CALL

Councilpersons:
Barberio - Present
Bertino - Absent
Esposito - Present
Gribbin - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

Appoint Acting Planning Board Secretary

Motion by Hozik, seconded by Cacia, appoint April Boyer Maimone as Acting Planning Board Secretary for the purpose of the Town Council and Planning Board joint meeting. Motion carried.

PLANNING BOARD ROLL CALL:

Mayor DiDonato - Present
Joseph Cacia – Present
Sal Colasurdo – Absent
Phil DeMarco – Present
Councilman Paul Esposito – Present
Joseph Giraldo – Absent
Dr. Michael Hozik – Present

Gordon Pherribo – Absent
P.J. Pullia, Alt#1 – Present
Vincent Messina, Alt#2 – Present
Chairman Ed Marinelli - Present

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese of ARH, Town Engineer
Michael Malinsky, Planning Board Solicitor
Shirley Bishop, Housing Consultant
Frank Zuber, COAH Representative
MaryBeth Lonergan, Court Master
Katie Barnett, NJ DEP
Joseph Pantalone of ARH Town Engineer

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

Mayor Congratulations

Mayor DiDonato congratulated former Councilman James Bertino who just became Freeholder Bertino.

APPROVAL OF MINUTES

Executive Session December 13, 2010

Regular Meeting December 13, 2010

Motion by Councilperson Barberio, seconded by Councilperson Pullia, approve minutes of Executive Session and Regular Meeting held December 13, 2010 as recorded by the Clerk.

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Recused
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Organization Meeting January 1, 2011

Motion by Councilperson Barberio, seconded by Councilperson Esposito, approve minutes of Organization Meeting held January 1, 2011 as recorded by the Clerk.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Presentation Katie Barnett DEP Division of Water Supply

Ms. Barnett stated that she specializes in Water Conservation with NJ DEP and provides support for Division of Water Allocation. Ms. Barnett gave a power point presentation on the worth of water and stressed preservation of same. She advised that a municipality, such as Hammonton, who requests an increase in water allocation from NJ DEP, must take aggressive measures as prescribed by NJ DEP to obtain the increase. Such measures may include increasing water rates during peak season as well as limiting outdoor water usage by local ordinance.

After a brief discussion on water conservation, Mayor and Council thanked Ms. Barnett for her presentation and she was excused.

Mayor and Council and Hammonton Planning Board Joint Meeting

NIBR COAH Settlement Agreement and Amendment Fair Share Housing-Master Plan

Mr. Brian Howell, Town Solicitor, referenced NIBR COAH settlement agreement that appears later in the agenda and requested this item be discussed at this time and prior to the amendment of the Fair Share Housing-Master Plan discussion and consideration. Mr. Howell continued by advising on the terms of the proposed NIBR COAH settlement agreement.

Mayor DiDonato inquired to Mayor and Council and Hammonton Planning Board as to any questions they may have concerning COAH and/or Amendment to Fair Share Housing? No one desired to be heard at this time. Mayor DiDonato advised the public that Mayor and Council and the Hammonton Planning Board have had numerous question and discussions concerning proposed COAH settlement that have since been answered and have led to this settlement agreement being considered this evening.

PUBLIC HEARING

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, open this portion of the COAH and Fair Share Housing discussion for public input. Motion carried.

No one from the public desired to be heard at this time.

Mayor DiDonato stated the public hearing will remain open during Ms. Shirley Bishop's presentation so that if someone has questions subsequent to same, they may still be heard.

Ms. Shirley Bishop gave a presentation on proposed NIBR COAH Settlement and Amendment to Fair Share Housing portion of the Master Plan.

Mayor DiDonato requested Shirley Bishop to advise on the Governor's Veto that occurred today.

Ms. Bishop advised on what had transpired in the courts and legislature concerning COAH requirements that was eventually voted upon by the legislature and then vetoed today by Governor Christie.

Mayor DiDonato further verified, if COAH is eventually abolished, Hammonton must still address the current COAH litigation.

CLOSE THE PUBLIC PORTION OF MEETING

Motion by Councilman Esposito, seconded by Councilperson Gribbin, close the public portion of meeting. Motion carried.

Town Council Approval of NIBR COAH Settlement Agreement

Motion by Councilperson Barberio, seconded by Councilperson Rodio, approve NIBR COAH Settlement Agreement contingent upon Town Solicitor final approval and Mr. John Bee signing same.

MAYOR AND COUNCIL ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Planning Board Approval of NIBR COAH Settlement Agreement

Motion by Hozik, seconded by DeMarco, approve NIBR COAH Settlement Agreement contingent upon NIBR execution of settlement agreement by their managing member John Bee and authorize chairman Marinelli to execute agreement on behalf of the Hammonton Planning Board.

PLANNING BOARD ROLL CALL:

Mayor DiDonato – Abstain
Joseph Cacia – Yes
Sal Colasurdo – Absent
Phillip DeMarco – Yes
Councilman Paul Esposito - Abstain
Joseph Giraldo – Absent
Dr. Michael Hozik – Yes

Gordon Pherribo – Absent
PJ Pullia, Alt #1 – Yes
Vincent Messina AI #2 – Yes
Chairman Edward Marinelli - Yes

Chairman Marinelli declared the motion carried.

Planning Board Approve Amendment to Fair Share Housing Contingent upon NIBR COAH settlement

Motion by Cacia, seconded by Hozik , approve amendment to Fair Share Housing subject to execution of NIBR COAH settlement agreement.

PLANNING BOARD ROLL CALL:

Mayor DiDonato – Abstain
Joseph Cacia – Yes
Sal Colasurdo – Absent
Phillip DeMarco – Yes
Councilman Paul Esposito - Abstain
Joseph Giraldo – Absent
Dr. Michael Hozik – Yes
Gordon Pherribo – Absent
PJ Pullia, Alt #1 – Yes
Vincent Messina AI #2 – Yes
Chairman Edward Marinelli - Yes

Chairman Marinelli declared the motion carried.

Town Council Endorse Amendment to Fair Share Housing Plan of Town of Hammonton Master Plan

Motion by Councilperson Rodio, seconded by Councilperson Esposito, endorse amendment to Fair Share Housing plan and forward to the court.

MAYOR AND COUNCIL ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Planning Board Adoption of Amendment to the Housing Element of the Fair Share Plan of the Town of Hammonton Master Plan

Motion by Cacia, seconded by DeMarco, adopt Decision of Resolution Amending Housing Element of the Fair Share Plan of the Town of Hammonton Master Plan.

PLANNING BOARD ROLL CALL:

Mayor DiDonato – Abstain
Joseph Cacia – Yes
Sal Colasurdo – Absent
Phillip DeMarco – Yes
Councilman Paul Esposito - Abstain
Joseph Giraldo – Absent
Dr. Michael Hozik – Yes
Gordon Pherribo – Absent
PJ Pullia, Alt #1 – Yes
Vincent Messina Alt #2 – Yes
Chairman Edward Marinelli - Yes

Chairman Marinelli declared the motion carried.

ADJOURN JOINT MEETING OF MAYOR AND COUNCIL AND HAMMONTON PLANNING BOARD

Motion by Cacia, seconded by DeMarco, the joint meeting of Mayor and Council and the Hammonton Planning Board be adjourned. Motion carried.

FIVE MINUTE RECESS

Hearing-Ordinance #001-2011 Amend Job Performance Evaluations

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

No one desired to be heard.

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

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Hearing-Ordinance #002-2011 Amend Purchasing Ordinance

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

No one desired to be heard.

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

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Hearing Ordinance #003-2011 Establish Public Utilities Department (w/minor amendments)

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

No one desired to be heard.

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, the hearing be closed, the ordinance pass second reading and be adopted with minor amendments.

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino – Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

Business & Industry-Councilperson Gribbin
NJM good neighbor award document complete
NJM grand opening January 28th
2011 reorganization meeting Mainstreet/Hammononton Revitalization Corp.

Education-Councilperson Bertino Absent

Mayor DiDonato requested Councilman Gribbin to chair this committee beginning next regular meeting due to Councilman Bertino's winning Freeholder position.

Public Works & Transportation-Councilperson Rodio

Defer to Engineer Report

Thanked Lance, Scott and all men who have been working hard with snow removal as well as normal duties

Law & Order-Mayor DiDonato

Chief Jones is doing excellent job. Law & Order Committee meeting to be scheduled soon.

Thanked NJM for \$5000 donation to fire dept (thermal imaging camera) & \$1000 donation to police dept.

NJM installed in their new building a radio system to allow for use of an 800 megahertz system used by Police and Fire

Quality of Life – Councilperson Esposito

Encouraged citizens to attend Hammonton Lake Quality Commission lake cleanup day on February 26th.

Water & Sewer – Councilperson Pullia

Defer action item to Engineer report

Ordinance creating municipal utilities department was adopted this evening & will streamline operations & cost savings

Authorize Sale of Airport Equipment-Govdeals or Ebay

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize sale of snow blower and a snow plow blade on Govdeals or Ebay.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Councilman Pullia report continued:

RFQ airport update to specifications

Approve Change Order-Calderone Property \$4394.16-Airport Improvements Project

Motion by Councilperson Rodio, seconded by Councilperson Barberio, approve change order to Calderone Property in the amount of \$4394.16 to be paid from Ord 7-2004 for airport improvements project.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Deputy Mayor Pullia - Yes

Rodio - Yes

Mayor DiDonato - recused

Deputy Mayor Pullia declared the motion carried.

Administration -Councilperson Barberio

Councilperson Barberio advised he will not seek re-election to his council seat this coming year. He believes in serving the public for brief effective periods. Further, he feels the need to express how his commitment has taken previous time away from his family. He stressed that elected officials participate in the public process and their families do not. He does not feel it's fair when family members of public officials are victimized over the positions we hold. He thanked Mayor DiDonato and apologized for ending on this note but felt it was important to express to the people what public officials families must endure.

Mayor thanked Councilman Barberio and expressed his appreciation of his knowledge in government and stated he is a tremendous councilperson, husband and father.

Councilman Pullia stated he will miss Jerry and his input has always been appreciated.

ENGINEER REPORT

Mr. Vettese also advised that Councilman Barberio has been very helpful and will be missed.

SEWER & WATER ACTION ITEMS

**AN Construction, 3rd Street Homes, Sanitary Sewer Extension Permit Renewal
Rt. 54 Change Orders**

Referred both action items to New Business for adoption of Resolution(s).

SOLICITOR REPORT

Mr. Brian Howell also stated that he has relied on Councilman Barberio's knowledge through the years and he will be greatly missed.

Enter Into Pictometry Agreement

Motion by Councilperson Barberio, seconded by Councilperson Esposito, authorize Town to enter into pictometry agreement for Tax Assessor Department at no cost to the Town.

Councilman Barberio advised this will require some updating through the years.

Solicitor advised that MaryJoan Wyatt and Nick DeStefano have undergone necessary training for same.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Solicitor Report Continued:

Advised-invited Plymouth Place General Mgr. to February 28th Council Meeting
Referred Tree Removal and Canoe Club Use Resolution(s) to New Business

Extend Capital Partners Contract-3 months (Jan – Mar 2011)

Motion by Councilperson Rodio, seconded by Councilperson Barberio, authorize extension of Capital Partners Contract for 3 months (Jan-Mar 2011) not to exceed \$15,000.00.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Received thank you from Tri Vets of Hammonton for sidewalk replacement at Veterans Park

Accept Resignation Torrissi-Appoint Scianni-Park Commission (Mayor w/Confirmation of Council)

Motion by Councilperson Gribbin, seconded by Councilperson Esposito, accept resignation of Michael Torrissi and appoint John Scianni to the Park Commission unexpired (2 year) term of Michael Torrissi to expire 12/31/11.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

TOWN CLERK REPORT

1.Renew VSP-2 years eff 3/1/11-monthly rates Single \$11.95, H/W \$19.11, P/C \$19.51, Family \$31.46

Total annual savings \$4900

2.Renew dental plan w/ Aetna-1 yr-eff 3/1/11-monthly rates Emp\$22.63, Emp1\$37.78, Emp2 \$73.40

Total annual savings \$5694

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, town clerk report item(s) 1 and 2 be approved.

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito – Yes
Gribbin - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

APPROVE BILL LIST

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, approve January, 2011, bill list for payment.

ROLL CALL:

Councilpersons:
Barberio - Yes
Bertino - Absent
Esposito - Yes
Gribbin - Yes
Pullia - Yes
Rodio – Yes (recused on White Star bill only)
Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R022-2011 Approve Tax Abatement-Capital Bank

RESOLUTION # 22 - 2011

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 2814 Lot 5 (lead lot) Capital Bank of New Jersey

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 abatement per Ordinance 8-2000 for no more than (5) years.

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, resolution 22-2011 be adopted.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Deputy Mayor Pullia - Yes

Rodio - Yes

Mayor DiDonato - Recused

Deputy Mayor Pullia declared the motion carried.

#R023-2011 Salary Resolution Chief, Captain, Lieutenant

#R 23 - 2011
RESOLUTION

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

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

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

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

Effective January 1, 2011

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2011 TOTAL</u>
Robert Jones	Police Chief	106,018.00
Nick Salvatore	Captain	101,018.00
Kevin Friel	Lieutenant	95,434.00

#R-24-2011 Renew Liquor License Years 2008 through 2011 Mikado

R# 24 -2011

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSES
For 2008/09, 2009/10, 2010/11 License Terms

WHEREAS, it is a requirement of NJ ABC that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and

name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

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

0113 33 018 006 Mikado Inc.
 t/a Mikado Japanese Cuisine
 Location: (pocket)

That it is hereby specifically determined and declared that the following named persons and corporation, if any, be and they are hereby adjudged to be entitled to a license of the class hereinafter specified to sell alcoholic beverages at or on the premises as herein fixed and described to wit:

BE IT FURTHER RESOLVED that each and everyone of the foregoing hereinbefore named persons and corporations be and the same are hereby granted a License of the class specified for the sale of Alcoholic Beverages at retail at and on the premises as hereinbefore in connection with each licensee described. Such license shall be for the term of one year; and

BE IT FURTHER RESOLVED that the Mayor and Council approve liquor license renewal additions to this resolution contingent upon all state requirements being met and approved by the Town Clerk.

#R025-2011 Authorize Refund of Cobra Overpayment

RESOLUTION # 025-2011

RESOLUTION AUTHORIZING REFUND FOR
COBRA OVERPAYMENT VSP

WHEREAS, Robin Ripa paid \$12.66 for Vision Service Plan January cobra monthly premium;

WHEREAS, Robin Ripa has requested to cancel cobra benefits effective 1/1/11;

WHEREAS, Robin Ripa has requested a refund of her cobra premium of \$12.66 for the month of January, 2011;

WHEREAS, Kathryn Velardi of the Town Clerk's office effectuated the cancellation of vision service plan cobra benefits for the month of January, 2011 per request of Robin Ripa;

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 Robin Ripa be refunded \$12.66 which represents one month overpayment of vision service plan cobra rate.

#R026-2011 Tax Resolution

#R 26-2011

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved the following cancellations and refunds to the accounts listed below:

B&L	NAME	ADDRE	AMOUNT	ACCT	REASON	PER
4604-29.01	Hammonton Invest.	117 S. WHP	0.75	Water	Cancel Small Balance	Rosie
2526-6	Wallace Realty	30 Front St	324.05	Tax	Cancel Town Ownes	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.

#R027-2011 Transfer Resolution

#R 027-2011

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

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

FROM: IN CAP
Police S&W (0-01-25-119-100) \$17,700.00

TO: IN CAP
Electric OE (0-01-31-11G-200) \$17,700.00

FROM: IN CAP
Highway S&W (0-01-26-123-100) \$2,300.00

TO: IN CAP
Electric OE (0-01-31-11G-200) \$2,300.00

FROM: IN CAP
Highway S&W (0-01-26-123-100) \$2,300.00

TO: IN CAP
Telephone OE (0-01-31-139-200) \$2,300.00

FROM: IN CAP
Assess. Tax S&W (0-01-20-104-100) \$700.00

TO: IN CAP
Telephone OE (0-01-31-139-200) \$700.00

FROM: IN CAP
Collection of Tax S&W (0-01-20-105-100) \$2,000.00

TO: IN CAP Telephone OE (0-01-31-139-200)	\$2,000.00
FROM: IN CAP Planning Brd S&W (0-01-21-109-100)	\$240.00
TO: IN CAP Finance OE (0-01-20-103-200)	\$240.00
FROM: IN CAP Group Ins. OE (0-01-23-114-200)	\$6,500.00
TO: IN CAP Legal OE (0-01-20-106-200)	\$6,500.00
FROM: IN CAP Construction S&W (0-01-22-126-100)	\$1,500.00
TO: IN CAP Public Bldgs/Grds OE (0-01-26-108-200)	\$1,500.00

#R028-2011 Approve Sewer Extension AN Construction

#R028-2011

RESOLUTION GRANTING AN EXTENSION OF TIME TO ALLOW FOR THE INSTALLATION OF SANITARY SEWER TO SERVICE THE PROPOSED 19-LOT SUBDIVISION NOTED HEREIN

WHEREAS, 3rd Street Homes, LLC from 212 Winding Way, Hammonton, NJ 08037 has purchased the property noted as Block 2201, Lot 10, 11.01, 11.02, 11.03 and 12 formerly owned by AN Construction, LLC; and

WHEREAS, 3rd Street LLC, has made an application to the Town of Hammonton to request an extension of time on the preliminary approval granted by the Town for sanitary sewer installation for a project located adjacent to Third Street designated as Lots 10, 11.01, 11.02, 11.03 and 12 in Block 2201 on the Tax Map of the Town of Hammonton; and

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

WHEREAS, the Mayor and Town Council of the Town of Hammonton did adopt Resolution 051-2008 granting preliminary approval for the proposed sanitary sewer installation on March 17, 2008; and

WHEREAS, the NJDEP issued a Permit #08-0496, dated January 20, 2009 to allow for said sanitary sewer installation; and

WHEREAS, the applicant was not able to proceed with the proposed sanitary sewer installation within the allotted timeframe stipulated by the NJDOT permit; and

WHEREAS, the NJDEP Treatment Works Approval Permit may be extended beyond the original two (2) year approval to a maximum five (5) years from the original issuance date, in accordance with the terms and conditions in N.J.A.C., 7:14A-22.12; and

WHEREAS, the Mayor and Town Council desires to grant a two (2) year extension retroactive from the NJDEP expiration date of 1-19-11; and

WHEREAS, all conditions stipulated in the original Council Resolution 051-2008, dated March 17, 2008 would be part of the extension of the time consideration.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton of the County of Atlantic, State of New Jersey that the Mayor is hereby authorized to execute all appropriate NJDEP, TWA documents that are required for the two (2) year time extension request from the original NJDEP Permit #08-0496 to provide for the sanitary sewer installation associated with the above noted subdivision subject to compliance with the conditions noted in the Engineer's Report, the original Council Resolution 05-2008, and the items noted by the Town's Public Works and Transportation Committee, the Utility Superintendent, and the Town Solicitor; and

That once the permit extension is granted by the NJDEP that the applicant will be required to return to the Mayor and Town Council of the Town of Hammonton to seek final approval of the proposed utility improvements prior to the start of any onsite or offsite utility installation.

#R029-2011 Request Non Conforming Maturity Schedule

#R029-2011

RESOLUTION OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e) for its review and approval of a non-conforming maturity schedule; and

WHEREAS, the Town believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) the purpose is for the health, the welfare, the convenience or the betterment of the inhabitants of the Town;
- (c) the amounts to be expended for the purpose or the improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Town and will not create an undue financial burden to be placed upon the Town;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Town's Bond Counsel and the Town's auditor, along with other representatives of the Town, are hereby authorized to prepare such application and to represent the Town in matters pertaining thereto.

Section 2. The Clerk of the Town is hereby directed to prepare and to file a certified copy of the resolution authorizing the Bonds with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings and approval as provided by the applicable New Jersey Statute.

#R030-2011 Combine Certain General Obligation Bonds

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL OBLIGATION BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$940,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") authorized pursuant to the bond ordinances of the Town heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of General Obligation Bonds in the principal amount of \$940,000.

Section 2. The principal amount of Bonds authorized by each ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Total Principal Amount of Bonds Authorized in the Bond Ordinance	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$1,403,950	9-04, as supplemented by 17-05, as further supplemented by 28-2009	Repairs to Bellevue Ave sewer, finally adopted 5/24/04, as supplemented on 5/23/05, as further supplemented on November 23, 2009	10 years
123,500	26-09	Sidewalk improvements to Bellevue, finally adopted 11/23/09	10 years
409,530	27-09	Bellevue Ave Water Utility Improvements, finally adopted 11/23/09	40 years
\$1,936,980			

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 16.34 years.

b. The Bonds of the combined issue shall be designated "General Obligation Bonds".

c. The Bonds of the combined issue shall be sold and issued to the United States of America and in accordance with the provisions of the Local Bond Law applicable to the sale and the issuance of bonds authorized by a single bond ordinance and accordingly may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof has been sold or issued heretofore, and the several bond ordinances described in Section 2 have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

#R031-2011 Determine Form and Details of General Obligation Bonds

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF A \$940,000
GENERAL OBLIGATION BOND OF THE TOWN OF HAMMONTON, IN THE COUNTY OF
ATLANTIC, NEW JERSEY AND PROVIDING FOR THE SALE OF SUCH BOND TO THE
UNITED STATES OF AMERICA.**

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. The \$940,000 General Obligation Bond authorized by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") New Jersey, referred to and described in bond ordinances #9-2004, as by #17-2005, as further supplemented by #28-2009, #26-2009, and #27-2009 adopted by the Town Council on May 24, 2004 as supplemented on May 23, 2005 as further supplemented on November 23, 2009, November 23, 2009, and November 23, 2009, respectively, and shall be sold to the United States of America on the following terms:

Designation: \$940,000 General Obligation Bond,
Date: A date (the "Closing Date") to be selected by the chief financial officer of the Town and the United States of America,
Interest Rate: Four and twenty five hundredths per centum (4.25%) per annum payable semiannually,
Principal and Interest Payments: \$24,544 (with the exception of the August 24, 2051 payment) payable semiannually beginning the 24th day of the month six months after the month the Bond is dated and terminating if not sooner paid, in the year 2051,
Place of Payment: Office of the United States Department of Agriculture Rural Development, Mount Laurel, New Jersey.

Section 2. There shall be issued one Bond in the amount of \$940,000 or such additional bonds as may be required and the details concerning the payment of principal and interest on such Bond shall be specified in the form of Bond.

#R032-2011 Route 54 Project Change Orders

**Resolution #032-2011
ACKNOWLEDGEMENT OF ADDITIONAL APPLICANT CONTRIBUTION
ROUTE #54 SANITARY SEWER EXTENSION**

WHEREAS, the Mayor and Town Council of the Town of Hammonton awarded a contract to Paramount Enterprises to replace sanitary sewer, water and storm sewer mains to Route #54 from Third Street to Valley Avenue to service the needs in that area of the Town; and

WHEREAS, at the October 2010 meeting of Mayor and Town Council, Change Orders #6 through #13 in the amount of \$167,898.97 were approved; and

WHEREAS, the project cost through all change orders has increased from \$1,763,512.50 to \$1,956,270.79; and

WHEREAS, this project is partly funded by the United States Department of Agriculture - Rural Development (USDA); and

WHEREAS, the USDA has provided a total of \$1,243,000.00 in funds of which \$303,000.00 is in the form of a grant and \$940,000.00 is in the form of a loan; and

WHEREAS, any and all change orders must obtain approval by USDA; and

WHEREAS, Change Orders #1 through #5 were previously approved and recently Change Orders #6 through #13 were approved by USDA; and

WHEREAS, as a condition of the approval of Change Orders #6 through #13, USDA has requested the acknowledgement from Mayor and Town Council that any expense on this project above \$1,243,000.00 is the responsibility of the Town and is entitled the "Applicant's Contribution"; and

WHEREAS, Change Orders #6 through #13 increase the applicant contribution portion of the project from \$819,689.00 to \$924,271.29; and

WHEREAS, the monthly outlay report (USDA budget form) will be amended accordingly to reflect the additional applicant contribution as well as re-budgeting the unexpended contingency line item and re-appropriating same into the construction line item; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby acknowledge the increase of the project cost caused by Change Orders #6 through #13.

BE IT FURTHER RESOLVED, that this resolution be submitted to USDA as an affirmation of the Town's responsibility of additional project costs not covered under the program.

#R033-2011 Approve Modified Tree Removal Permit Application

Resolution #033-2011

Approving Modified Tree Removal Permit Application

WHEREAS, the Environmental Commission has reviewed the current Tree Removal Permit Application; and

WHEREAS, the Environmental Commission has made certain changes to same; and

WHEREAS, the Environmental Commission has recommended to Mayor and Council that it pass a Resolution authorizing these amendments to the Tree Removal Permit Application.

NOW THEREFORE, it is **RESOLVED** that on this 24th day of January, 2011 by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey as follows;

RESOLVED, that the tree removal application which was revised in December, 2010 and January, 2011(see attached) by the Hammonton Environmental Commission be and hereby is approved for use commencing immediately for all residents seeking to remove trees within the boundaries of the Town of Hammonton as more fully specified in Hammonton Municipal Code Chapter 276, Article II, Section 267-7-267-18.

#R034-2011 Amend R60-10 Establish Authorized Uses of Canoe Club

Motion by Councilperson Barberio, seconded by Councilperson Rodio, resolutions 23-34 be adopted.

ROLL CALL:

Councilpersons:

Barberio - Yes

Bertino - Absent

Esposito - Yes

Gribbin - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Dan Santora – Old Forks Road

Mr. Santora questioned the Solicitor as to who owns the large retention basin at Pulte Development?

Solicitor responded homeowners are responsible.

Mr. Santora questioned why is the Solicitor involved in negotiations of same?

Solicitor responded the town as a whole has a interest on behalf of the taxpayers of pulte to be sure that everything on site is developed properly per plan that was approved.

Mayor DiDonato further advised Mr. Santora that when his family requested Mayor and Council to become involved in the problems at Pulte, Council authorized the Town Solicitor to become involved.

Mr. Santora then questioned are we any closer to a resolution to this matter, and continued before a response from council was given, inquiring from Brian Howell if any other members of council attend these meetings with Pulte?

Solicitor responded yes.

Mr. Santora then questioned would participation of council constitute a public meeting?

Solicitor advised only when 4 or more are in attendance which is not the case at the Pulte meetings.

Mr. Santora also requested a fence be installed as to inhibit citizens from entering the area. He also questioned is there any remediation plan?

Solicitor stated that after a discussion of potential remedies at a previous council meeting, Mayor and Council are still awaiting a response from the Santora family as to their preference.

Mr. Santora stated he felt the residents of Pulte should attend council meetings rather than meet in private.

Mark Santora – Old Forks Road

Mr. Santora stated he received a letter from the Pinelands Commission dated 1/12/11 and read same.

Solicitor requested a copy of the letter which was copied and dispersed to Mayor and Council.

A lengthy discussion was held concerning the drainage basin at Pulte that included Mr. Perna, an interested party seated in the audience, with all parties disagreeing on different aspects of the discussion and the interpretation of the letter. Solicitor Howell requested Mr. Santora to appear at the next meeting at Pulte, with those officials/professionals involved in same, as a more proactive approach, rather than discuss matters on hear-say without proper professionals/officials present to respond.

Mr. Perna – S. Washington Street

Mr. Perna stated he has a pot hole at the end of his driveway and the highway department advised they do not have asphalt to patch the roadway.

Public Works and Transportation Chairman to investigate same.

Mr. Chew – Royce Run

Mr. Chew advised once again on his opinion as well as laws concerning drainage basin upkeep at Royce Run Development. He advised that the homeowners association should not be the responsible party for upkeep of basin at this time.

Mayor DiDonato questioned who is responsible for the drainage basin from 10 years and 1 day on?

Mr. Chew advised the town would impose a special assessment to the homeowners who will be responsible for the basin from that point on.

Mayor DiDonato advised council's suggestion to make the homeowners responsible for upkeep of basin was only a suggestion and thought this would put necessary revenue into place prior to the 10 years and 1 day which will begin very soon.

After a discussion with Mr. Chew and Mayor and Council, Councilman Pullia stated for the record that Mayor and Council did not require Royce Run residents to form a homeowner's association for drainage basin upkeep, it was just a suggestion and entirely up to the residents.

Dennis LaSassa – Assistant Fire Chief

Assistant Chief LaSassa recognized and congratulated firefighters who graduated with perfect attendance.

Mayor and Council appreciate the volunteerism of the fire department as well as the rescue squad.

MEETING ADJOURNED

Motion by Councilperson Rodio, seconded by Councilperson Gribbin, the meeting be adjourned. Motion carried.

April Boyer Maimone, Municipal Clerk