

REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
March 23, 2009 at 6:00 P.M.

Minutes can be viewed at [www.townofhammonton.org](http://www.townofhammonton.org)

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P

Councilpersons:

Barberio - P

Bertino - A

Lewis - P

Petrongolo - P

Rodio - P

Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor

Enter Into Closed Session

#R 28C-2009

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. Vacant Land Sale-Reset Prices
3. Harry Harper Litigation
4. Warning Letter – personnel
5. Disciplinary Action-Police Department
6. Complaint – Environmental
7. PBA Grievance
8. Land Sale
9. Universal Fire-Litigation

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

Motion by Councilperson Barberio, seconded by Councilperson Lewis, enter into closed session.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

ROLL CALL – RESUME OPEN SESSION

Mayor DiDonato - P  
Councilpersons:  
Barberio - P  
Bertino – A  
Lewis - P  
Petrongolo - P  
Rodio - P  
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

Notice of this meeting has been posted on Town Hall bulletin board, mailed 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

Cassie Iacovelli – Main Street Administrator

Ms. Iacovelli advised Mayor and Council on upcoming farmers market including the change in dates and times and stated she is endorsing the resolution under New Business this evening.

APPROVAL OF MINUTES

Regular Meeting 2/23/09 with revision to #R25 per bond counsel & emailed to M&C previously  
Special Meeting 3/6/09

Motion by Councilperson Barberio, seconded by Councilperson Petrongolo, the minutes be approved as recorded by the clerk. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Officer Presentation

Mrs. Shirley Grasso, Municipal Court Prosecutor for Town of Hammonton, along with Mayor DiDonato presented “2008 Prosecutor Award” to Officer Sam Angelo III. Mayor DiDonato described the criteria one must meet for achievement of this award. Mrs. Grasso, who works closely during court session with the Town of Hammonton Police Officers, stated that Officer Angelo met all the criteria and commended him for his dedication to duty.

AtlanticCare Presentation

Ms. Mary Louise Vendetti of Atlanticare thanked Mayor and Council and citizens of Hammonton for giving their hospital a warm welcome. She advised of Atlanticare’s current services and stated in the near future she will be ascertaining our needs as to better serve our community.

Dr. Zwiebel formerly of Kessler Hospital advised he is now with Atlanticare and stated Atlanticare will be able to accommodate citizens with full emergency medical service.

Councilwoman Petrongolo stated she is happy to see Dr. Zwiebel still on staff and asked if Atlanticare will be a 24/7 facility?

Dr. Zwiebel replied yes and the new place is immaculate.

Councilman Barberio questioned will they be able to provide the same medical treatment as Kessler did?

Dr. Zwiebel replied yes and they now have upgraded medical equipment as well.

Councilman Rodio questioned the loss of the operating room and is there a difference between an emergency department and an emergency room?

Dr. Zwiebel replied the operating room was not being used as much as the emergency room in the past. Dr. Zwiebel also replied that Atlanticare does not provide acute care but can handle any type of emergency care needed. Most patients visiting the emergency room at Kessler were treated and discharged, rather than admitted to the hospital. Most patients needing additional urgent care were transported to other hospitals. He believes Atlanticare will be able to provide very similar care as Kessler did in past.

Councilman Barberio questioned why is a paramedic vehicle following an emergency vehicle?

Dr. Zwiebel advised both show up at the site, both have their own duties to the patient and both accompany each other to the emergency room.

Mayor DiDonato questioned Dr. Zwiebel's opinion on the Atlanticare heliport located at the Hammonton Airport?

Dr. Zwiebel stated its very good to have our own heliport and it aids in saving necessary time getting a patient to another hospital.

Mayor and Council thanked Dr. Zwiebel for advising the public on the current status of emergency care in Hammonton and welcomed Atlanticare to our community.

#### St. Joe Global Climate Presentation

Mr. William Hocker, lead teacher of Global Studies program at St. Joseph High School, thanked Mayor and Council for allowing them to give their presentation.

The students each gave a short presentation on their studies and how they utilize media such as internet, newspaper, discussions etc to ascertain information. They advised that their studies take them outside of the Town of Hammonton and even the United States. They use a student based DVC to speak with students from other countries and exchange ideas such as nuclear power, war and changing climate. They advised of the "play pump project" that allows children to play on a "see saw" type of ride and at the same time pump fresh well water for those communities without access to public water or well. They also held a United Nations student conference on human life with several topics and drafted a resolution that was passed and presented to the United Nations. They encourage car pooling, recycling, high efficiency light bulbs. They advised public that they can help by reducing, re-using and recycling. They thanked Mayor and Council for allowing them to give the presentation on their Global Climate Studies.

Councilman Rodio commended St. Joe students and encouraged those listening to recycle to save our environment and tax dollars as well.

Hearing Ordinance 3-2009 vacating property continued with revisions and map  
(re advertised and printed below in full due to revisions)

ORDINANCE# 3 - 2009

AN ORDINANCE VACATING A PORTION OF SYLVAN AVENUE AND "A" AVENUE (FORMERLY KNOWN AS EAST AVENUE) IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

WHEREAS, in the Town of Hammonton, within the B-2 Zoning District, there exist unimproved municipal roadways limited to that portion of Sylvan Avenue situate between Block 4005, Lot 6 and Block 4006, Lot 1 and that portion of "A" Avenue (formerly known as East Avenue) situate between Block 4006, Lots 1&2 and Block 4007, Lot 1 as depicted on the Tax Map of the Town of Hammonton which shall be on file in the Clerk's Office; and

WHEREAS, the Mayor and Common Council have determined, pursuant to N.J.S.A. 40:67 -1 (b), that it is in the public interest to vacate a portion of Sylvan Avenue and "A" Avenue (formerly known as East Avenue) as they currently exist and for ownership of the underlying land to revert in equal proportion to the current adjoining land owners as detailed in Exhibit "A"; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Town of Hammonton expressly reserves and excepts from vacation all rights and privileges possessed by municipal utilities and public utilities, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace their existing facilities in, adjacent to, over or under the vacated portions of Sylvan Avenue and "A" Avenue (formerly known as East Avenue); and

WHEREAS, the Town of Hammonton Municipal Engineer has reviewed the proposed vacation and finds that same is consistent with the public interest, and that it is in the best interest of the municipality; and

WHEREAS, the interests of the public will be served by this vacation, since those portions of Sylvan Avenue and "A" Avenue (formerly known as East Avenue) are unnecessary for public transportation or any other municipal purposes and the vacation will lead to the improvement of the property in the surrounding areas without any detriment to the interests of the public.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton as follows:

Section 1. Pursuant to N.J.S.A. 40:67-1 (b), a portion of Sylvan Avenue and "A" Avenue (formerly known as East Avenue) as described in Exhibit "A" is hereby vacated, subject only to the express reservation by the Town from the vacation, all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof to be vacated.

Section 2. Pursuant to N.J.S.A. 40:49-2 and N.J.S.A. 40:49-6, the Town Clerk shall cause this amended Ordinance to be published verbatim, together with notice of its introduction in a newspaper published and circulated within the Town of Hammonton, if there be one, and if not, in a newspaper printed in Atlantic County and circulating in the Town of Hammonton, once, not less than (2) two days prior to the time fixed for second reading and final passage.

Section 3. The Town Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof: pursuant to N.J.S.A. 40:49-6.

Section 4. Upon final passage after second reading (as amended), the Town Clerk shall forthwith file a certified copy of the Ordinance in the office of the Town Clerk.

Section 5. The Town Clerk shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy of this Ordinance vacating Sylvan Avenue and "A" Avenue (formerly known as East Avenue), together with a copy of the proof of publication thereof, with the Office of the Atlantic County Clerk pursuant to N.J.S.A. 40:67-21.

Section 6. All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage and publication with notice of the date of passage, according to law.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Dispense Continued

Hearing Ordinance 4-2009 Amend 24-08 Court Adm. position exempt from new DCRP pension

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Ordinance 5-2009 Refunding Bond 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 Rodio, seconded by Councilperson Lewis, the hearing be closed, the ordinance pass second reading and be adopted.

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Ordinance 6-2009 Re-Appropriating Bond Ordinance

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

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Deputy Mayor Wuillermin - Y  
Mayor DiDonato - Recused

Deputy Mayor Wuillermin declared the motion carried.

Mayor's Budget Address

Mayor DiDonato handed out and advised on 2009 Proposed Budget and thanked department heads for their help in maintaining this 0 percent budget increase.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, schedule budget introduction for the April 27 regular meeting.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio

Report March 16 Administration Committee meeting

Proposed ordinance to streamline license issuance to be introduced this evening

Employee handbook updates being reviewed

Discuss request to display art in town hall

BUSINESS & INDUSTRY-Councilperson Petrongolo

Hammonton Farmer's Market resolution on agenda this evening

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Thanked Highway Superintendent and entire dept as well as police dept for hours spent during last snow storm

Previously reported on recycling

LAW & ORDER-Mayor DiDonato

Report on Law and Order committee meeting

QUALITY OF LIFE - Councilperson Lewis

Advised of Environmental and Park commissions Public Visioning Mtg Wed Mar 25 at 7 pm opened to public

Reported on sustainable community resolution on agenda this evening

WATER & SEWER - Councilperson Wuillermin

Report on water and sewer committee meetings

April start here

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

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

Bids were opened on Thursday, February 19, 2009. Our office made a recommendation to award a contract to Pioneer Pipe Contractors, Inc., who submitted a bid of \$739,325.65.

In conjunction with the anticipated project award, there will be a need to oversee the construction contract. Our office has provided a proposal for the Town's consideration. A copy of the proposal is included with this report.

In conjunction with the project construction a dollar amount must also be set aside for contingencies and traffic control.

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, approve the following:

1. Authorize ARH proposal to complete the Construction Management of the project for a project total proposal cost of \$76,500.00
2. Adoption resolution awarding a Contract to Pioneer Pipe Contractors, Inc. (RESOLUTION IN FULL BELOW)

Resolution #28F-2009

Award of Bid, White Horse Pike, Moss Mill Road,  
Boyer Avenue Utility Extension Project

WHEREAS, the Mayor and Town Council of the Town of Hammonton is desirous to extend public utilities (water and sanitary sewer) along portions of the White Horse Pike, US Route 30, Moss Mill Road County Route #561 and Boyer Avenue to service the needs in that area of the Town; and

WHEREAS, public bids were received for said project on February 19, 2009 and presented to the Mayor and Town Council for review and consideration; and

WHEREAS, the low bid for the project improvements was submitted by Pioneer Pipe Contractors, Inc. of Pitman, NJ for a total price of \$739,325.65; and

WHEREAS, they Mayor and Town Council will be adopting an amendatory ordinance #6-2009 re-appropriating funds from existing bond ordinances in order to provide sufficient funds to allow the award of contract to the lowest responsible bidder; and

WHEREAS, it is in the best interest of the Town to complete the proposed project improvements in a timely manner; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby recommend an award of contract to Pioneer Pipe Contractors, Inc. of Pitman, NJ for a bid price of \$739,325.65 subject to the following conditions:

1. That award of contract should not take affect nor should the issuance of a formal purchase order for the project occur until twenty-one days after the adoption of the approval resolution and re-appropriating ordinance for project funding.
2. That the certification of available funds for the project must be provided by the CFO.
3. The signature of project contract documents shall be withheld until the above noted conditions have been satisfied.

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrangolo - Y

Rodio - Y  
Deputy Mayor Wuillermin - Y  
Mayor DiDonato - recused

Deputy Mayor Wuillermin declared the motion carried.

**2. AT&T Communication Antennae Upgrade (11-01000):**

We have reviewed the plans presented by the design consultant for AT&T Communications related to their request to upgrade their equipment at the Lincoln Street Tower site. We have reviewed same with the Water Superintendent and the PWTC. It was recommended that the Solicitor draft a revised agreement for execution between the Town and AT&T Communications subject to compliance with the items discussed. The Solicitor was authorized to draft that agreement for Council's consideration for Monday's meeting which would also include a request for an increase in the rate charged to AT&T.

Motion by Councilperson Wuillermin, seconded by Councilperson Petrongolo, authorize Solicitor to prepare AT & T agreement for council's review.

**ROLL CALL**

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**3. Well #5 Booster Pump Repairs (11-30000):**

The Water Superintendent has requested price quotes from three (3) different contractors to complete needed repairs to the booster pump at Well #5. We will review the price quotes with the PWTC and if acceptable provide an award recommendation for Council's consideration at Monday's meeting.

**Booster Pump Repair-(1)Quote Received**

UTD                   \$5900.00

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, authorize a purchase order not to exceed \$5900 to UTD for booster pump repairs.

**ROLL CALL**

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**PUBLIC WORKS ACTION ITEMS**

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

The Contractor is substantially complete, however there are punch list items remaining. Previously we have walked the site with the County and were given a few items of work that will be required by the County. We have forwarded the County's comments to the Contractor and the Contractor has provided additional costs (where warranted). We have reviewed the costs with the County and requested that the Contractor proceed with the work at the Third Street/Central Avenue intersection along with the punchlist items. Once the weather breaks, the remaining items should be completed and the contract finalized along with the appropriate change orders. We will keep Council apprised of further updates.

There is a request for payment consideration on an asphalt escalation item that the contractor has put forth which we are trying to finalize for payment consideration in this months bill list. We will review same with the PWTC and if acceptable will add it to the bill list for payment consideration.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, approve the following:

Payment of invoice associated with the asphalt escalation price adjustment for work completed on the Central Avenue Reconstruction project (contingent upon approval by the County) in the amount of \$65,743.55.

**ROLL CALL**

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

5. **ACIA 2009 Funding Request (11-40038):**

We have been in contact with the Atlantic County Improvement Authority (ACIA) representatives regarding the possibility for the Town to receive funding consideration through their 2009 program. Although the deadline for the submission has passed, they indicated that the Town would be eligible for funding consideration if the project falls within the designated eligible area. We reviewed this information with the PWTC and provided a proposal for consideration totaling \$2,150.00, a copy of which is attached. The project under consideration would be for the reconstruction of Washington Street including utility replacement as needed, extending between 12<sup>th</sup> and 13<sup>th</sup> Streets along with a portion of Orchard Street extending between West End Avenue and Railroad Avenue. Due to the tight time, we were requested to start the application process and obtain formal approval of our proposal at Monday's Council meeting. The Town will also be required to adopt a resolution indicating the intent to enter into an agreement with the ACIA for this years funding cycle. We will prepare the resolution for Council's consideration.

Motion by Councilperson Barberio, seconded by Councilperson Wuillermin, approve the following:

1. Approval of the ARH proposal #09-0134 dated 3/12/09 totaling \$2,150.00 to complete the required application, estimates, reports and resolution to request funding consideration and issuance of a PO. Letter to state grant request for senior community center and ADA parking lot as primary projects.
2. Resolution no longer necessary, removed from agenda, per Bob Vettese of ARH.

**ROLL CALL**

## Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

6. **NJPDES Monitoring Proposal Hammonton Landfill (11-90017):**

In our discussions with the PWTC there is a need to complete a review and oversight of the sampling and reporting of the monitoring well test results conducted by QC Laboratories at the landfill site to ensure compliance with the NJPDES requirements established by the State. We have attached a copy of a proposal dated 3/17/09 from ARH totaling \$2,975.00 to complete the various tasks described therein for the 2009 calendar year.

No action taken.

**SEWER & WATER INFORMATION ITEMS**

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

Close out terms have been completed for the items that were in dispute. The Town previously withheld \$4,000.00 until such pending items were negotiated. Ultimately, the Town will remit a final payment of \$3,500.00 whereby the remaining \$500.00 will be used toward the resolution of one of the remaining disputed issues. Therefore, the final payment of \$3,500.00 will appear on this month's bill list and will only be released upon submission of a 2 year maintenance bond in the amount of \$121,500.00.

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

A meeting between the Town, Pinelands, NJDEP and USGS was held on February 25, 2008 at Town Hall. This meeting proved to be productive in that the Town was given guidance on its goal to utilize drip irrigation methodology to increase the daily discharge of wastewater at the facility and additionally utilize this methodology as the means of irrigating the proposed soccer fields on the recreation side of the property.

Following the above meeting, an internal meeting was held with Lee Rain who had previously agreed to partner with the Town on the trial of drip irrigation on the site. The Recreation Committee will also become involved due to the use of drip irrigation as a source of irrigating the playing fields. The next step is to identify an area for the type of drip irrigation that would be used for the ball fields as a trial in addition to the area already selected for the trial for the direct wastewater application employing the drip method.

Once the trial area for the recreation side is selected, a protocol for the drip irrigation on both areas will be prepared and submitted to the NJDEP. Arrangements for cost and the terms for the trial operation between the Town and Lee Rain will be prepared concurrently. Also, Lee Rain introduced the Town to an agency that could possibly provide assistance on grant funding for this type of "green" initiative.

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

**Major Modification Application:**

Findings were due in February 2009. Our attempt to obtain this information early was unsuccessful. At our request, the Mayor sought information directly from NJDEP. He learned that NJDEP expects to advertise for public notice by March 23, 2009 and then 30 days thereafter for public comments. This means that a decision will be made in April.

According to the NJDEP, their preliminary assessment reveals no adversary impacts. As for the allocation, the NJDEP acknowledged that the Town was asking for 15 year demand projection. Most likely, the Town will only obtain an increase in allocation to meet the 10 year demand. Any increase in the allocation will be most helpful at this time.

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. Although we do not have an official response from NJMIC on the conceptual site plan for the desired property location, we generally understand their concerns and have started to prepare a response so that this project can move forward. Conclusion on this matter will allow the Town to pursue the testwell program.

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

We have received an approval of the revised plans from the County associated with the five (5) stream crossings. The only condition of the permit is that at the time of construction the contractor and the Town must apply for a roadway opening permit. A permit for utility installation and restoration within the White Horse Pike right-of-way has been obtained from the NJDOT. This means that all applicable approvals have been obtained for the utility installation portion of the project.

As authorized last meeting, we are proceeding with the specifications and bid documents for the well sealing and lateral installation portion of the project. We will keep Council informed of further progress. We are also evaluating roadway and trench restoration options for consideration to offset construction costs.

The Solicitor has forwarded the executed funding document to the NJDEP officials and we are waiting for the documents to be returned. The Solicitor is also working on the two arguments with the property owners where well sealing waiver requests were made to the NJDEP.

11. **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, pump station design and contributory flow.

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.

12. **Infrastructure Funding Assistance Program 2009 (11-01078):**

As requested by the Mayor and in conjunction with a possible Economic Stimulus or Recovery Program Funding Package to be considered by the Federal Government, we have directed a letter to our area legislators expressing the Town's interest in receiving funding consideration for various ready to bid projects. The letter of transmittal included both a letter from the Town listing various projects and a letter and resolution from Hammonton Public Schools noting the projects for which funding assistance is requested and ready to bid. We would request the Town Officials now follow up with their legislators to express the importance to receive funding consideration for those projects and its impact on the Town.

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

The Contractor has begun the process for the removal of the existing underground storage tanks at this site. The Solicitor is in the process of finalizing the Remediation and Hold Harmless Agreement with the representatives from Getty Corporation for the site. Once the agreement is executed and the connection fees are paid, the final testing of the remediation system could be conducted and if deemed satisfactory the treated water could be discharged to the Town's system.

**PUBLIC WORKS INFORMATION ITEMS****14. Hammonton Lake Park (11-90028):**

Our office was authorized at the last meeting to provide the final design and public bid portion of the project. It is planned to have an advertisement for bid in the paper by the first full week in April allowing an award to be considered for the April 27<sup>th</sup> Council Meeting.

**15. Central Avenue Walkway (11-40027.04):**

We are nearing completion of the preliminary design plans. We are currently working towards making a formal submission to Atlantic County. Once the preliminary plans are complete the submission will be made.

**16. Route 54/Bellevue Avenue Utilities (11-50120):***Permitting:*

Atlantic County Roadway Opening – This has been resubmitted to the County addressing their review comments. We are awaiting their response.

NJDOT (storm water) – Our office has discussed additional storm water features with NJDOT along the Route 54 corridor and there is a chance we will not be required to submit a revised application for review and approval. We will keep Council informed of further progress.

*Funding:*

A meeting was held with USRD related to additional funding. Informally it is hoped and believed additional funding will be provided either via Stimulus Package funding or thru the traditional USRD program. We hope to receive an answer to this inquiry soon.

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

We received subsequent review letter from the Pinelands Commission. We have gone over the issues in the letter and plan to resubmit by the end of this week to address the remaining issues and hopefully receive their approval shortly.

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

The Town has received an announcement of funding from NJDOT in the amount of \$145,000 (FY2008) and \$160,000 (FY2009) for a total of \$305,000.00 from NJDOT. We are currently evaluating additional options to convey storm water from the Bellevue Avenue and Fourth Street intersection to the down stream storm system along Pleasant Street. We are also reviewing the options and costs to complete the replacement of water main within the project limits of Fourth Street as discussed with the PWTC.

**19. Vacant Land Analysis – COAH Calculation (P#09-0079)**

Last meeting we were authorized to proceed with the vacant land analysis maps subject to the Solicitor securing approval from the Courts and COAH to use the COAH funds to pay for the mapping project. The Solicitor is trying to secure that approval. Once obtained, a PO could be issued and the work could proceed. We are awaiting for further direction.

**20. Former Octagon Oil – Town Parking Lot Site Remediation (11-01060):**

As a result of our meeting with John Malkin from the NJDEP, ARH will be preparing a proposal to complete some additional monitoring work at the Octagon Oil site on Vine Street and delay the active remediation process at this point. We will keep Council informed of further progress.

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

The Mayor and Town Council must decide as to whether the funds allocated by the County for purchase of the two properties involved in the Round #7 County funding allotment will be used or withdrawn.

22. **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.
23. **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. The NJEDA has verbally indicated that the letter of intent recently submitted appeared satisfactory; however we are waiting for their formal response.
24. **11<sup>th</sup> Street/Washington Street NJDEP Site Evaluation, Block 2608, Lot 1 (11-01000):**  
The NJDEP Case Manager has completed his evaluation of the site and provided the report to the Pinelands Commission for review. Once the Pinelands complete their comments, the Case Manager will finalize the report and provide a letter of findings to the Town. We will keep Council informed of further progress.
25. **Community Development Funds, 2006 ADA Curb/Walk Replacement, Washington Street Phase I Reconstruction (11-40026):**  
As authorized last meeting, we have begun work on finalizing the design plans and specifications to complete the improvements on the 3<sup>rd</sup> Street and Walmer Street intersection. We also directed a letter to John Lamey at the ACIA to keep them informed of the project status.
26. **Atlantic County Open Space Trust Funds – Round 8 (11-01070):**  
As stipulated last meeting, the Town will need to provide Ranae Fehr from Atlantic County a letter indicating the progress accomplished by the Town to date related to completing the work on the properties involved in the round #8 funding. It is our understanding that the Solicitor is drafting an agreement to be sent to the affected property owners to ensure there is still an interest in executing a contract of sale for their property. There are a number of tasks that must be completed before the 11/20/09 deadline date for closure on the properties. If the Town wants to use the funds, it is imperative that progress is indicated.

#### SOLICITOR REPORT

Peace & good order ordinance prepared for introduction under New Business this evening  
Street vacation ordinance (adopted earlier this evening as amended)  
Kessler Hospital Update – necessary cease to exist

1. Rescind #R28A-2009 Kessler Hospital Loan Adopted 3/6/09
2. Rescind #R28B-2009 Temporary Emergency Appropriation Adopted 3/6/09

Motion by Councilperson Barberio, seconded by Councilperson Lewis, rescind resolutions 28A and 28B adopted at the special emergency meeting of council held 3/6/09.

#### ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Solicitor report continued

Tuckahoe Turf Final Report  
AT & T Proposal  
Award of Contract Moss Mill Road Project (Resolution approved this evening)  
Pulte update  
Basin/Road Repair  
Mailbox access during snow storms (met with post office)  
Skinner property acquisition resolution under New Business this evening  
Vacant Land Sale – Advised on reset prices & ordinance amendment  
Sustainable NJ Resolution added onto New Business this evening

TOWN CLERK/ADMINISTRATOR REPORT

1. Confirm Previous CS Promotions Sr. Clerk Typist (Alden & Long) from CM 2/25/08
2. Report on JIF Insurance Awards:
  - 2008 Safety Incentive Program Qualifier \$1600
  - Achievement Award for use of 100% Transitional Duty Year 2008
  - Achievement Award "Beat 3 year loss ratio average"
  - Achievement Award "Significant Reduction in Lost Time due to job related injury" 2008 (from 8.00 in 2007 to 1.44 in 2008)
  - 2009 Optional Safety Budget \$3000 (planning safety day for employees)

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, approve Town Clerk/Administration item 1 confirm/finalize sr. clerk typist promotions and item 2 authorize use of \$3000 safety award for "safety day".

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino – A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVAL BILLS, TEMP EMERGENCY RESOLUTION & PURCHASE ORDERS

Motion by Councilperson Barberio, seconded by Councilperson Lewis, approve temporary emergency resolution (50% of 2009 introduced budget).

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino – A  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - Y  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, authorize payment of bills, and approve issuance of purchase orders.

ROLL CALL

Councilpersons:

Barberio - Y (recused Triad bills only)

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. Approve Easter Sunrise Service in Veterans Park (insurance approved)
2. Approve 2 month service credit Kathy Velardi (PERS approved)
3. Approve Atl Co Mosquito Control
4. Approve handicap sign at 208 Peach Street (Solicitor to amend ord next mtg)
5. From Revitalization Corp. re: Vine Street Municipal Parking Lot Improvements

Motion by Councilperson Barberio, seconded by Councilperson Lewis, approve communications 1 through 5.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #6A-2009 Delegate Municipal Clerk to issue Bingo/Raffle Licenses

Ordinance #006A-2009

AN ORDINANCE AMENDING CHAPTER 157  
 OF THE CODE OF THE TOWN OF HAMMONTON  
 ENTITLED "GAMES OF CHANCE"  
 AUTHORIZING THE MUNICIPAL CLERK TO GRANT RAFFLE AND BINGO LICENSES

WHEREAS, N.J.A.C. 13:47 allows the governing body of the municipality to delegate the authority to approve and grant raffle and bingo licenses to the municipal clerk; and

WHEREAS, authorizing the municipal clerk to approve and grant raffle and bingo licenses will aid in the expedition of same for the various applicants who wish to conduct a raffle or bingo within the Town of Hammonton.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the municipal clerk is delegated the authority to approve and grant raffle and bingo licenses to be held in the Town of Hammonton; and

BE IT FURTHER RESOLVED that the issuance of raffle and bingo licenses by the municipal clerk will comply with N.J.A.C. 13:47 and any other laws or regulations of the State of New Jersey and the Legalized Games of Chance Control Commission; and

BE IT FURTHER RESOLVED that in the event the Municipal Clerk denies a bingo or raffle license for any reason, that application and reason for denial of license shall be reviewed by Administration Committee prior to issuing the denial of license to applicant; and

BE IT FURTHER RESOLVED that all ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #007-2009 Capital Ordinance Placing \$400,00 Lake House Grant In Municipal Budget

Ordinance # 007-2009

CAPITAL ORDINANCE APPROPRIATING \$400,000 FOR VARIOUS IMPROVEMENTS TO HAMMONTON LAKE PARK BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

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

The Town Council hereby appropriates \$400,000 for the construction of approximately 300 parking spaces and improvement to vehicular and pedestrian movements and storm water drainage at Hammonton Lake Park, in accordance with the plans and specifications on file in the office of the Clerk, which plans are hereby approved including all work and materials necessary and incidental thereto. The appropriation is created by a grant from the *Atlantic County Municipal Open Space Financial Assistance Program*.

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

This ordinance shall take effect as provided by the law.

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

ROLL CALL

- Councilpersons:
- Barberio - Y
- Bertino - A
- Lewis - Y
- Petrongolo - Y
- Rodio - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #8-2009 Amend Peace and Good Order (rtf file)

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

ROLL CALL

- Councilpersons:
- Barberio - Y
- Bertino - A
- Lewis - Y
- Petrongolo - Y
- Rodio - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #9-2009 Re bid vacant land sale

ORDINANCE # 009 - 2009  
AN ORDINANCE AMENDING ORDINANCE 1-09 AMENDING MINIMUM BID FOR SALE OF MUNICIPAL PROPERTY  
NO LONGER NEEDED BY THE TOWN OF HAMMONTON

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

**WHEREAS**, the following property is owned by the Town of Hammonton and is not needed for public purposes:

Block 701, Lot No. 6 (963 Eighth St., Hammonton, NJ) (14.36 acres)

Block 701, Lot No. 7 (971 Eighth St., Hammonton, NJ) (5.92 acres) and

Block 701, Lot No. 9 (Third Road, Hammonton, NJ) (9.48 acres).

**WHEREAS**, it is in the best interest of the Town of Hammonton to advertise these lots (the "Property") for public sale to the highest bidder (the "Purchaser"); and

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Hammonton (the "Town" or "Town Council"), County of Atlantic and State of New Jersey as follows:

The Property shall be advertised for public sale pursuant to all requirements and procedures set forth in the Local Lands and Buildings Law (N.J.S.A. 40A: 12-13 *et seq.*), subject to the Purchaser and the Town satisfying all conditions set forth herein below:

The minimum bid for each lot shall be as set forth below:

Block 701, Lot No. 6 (14.36 acres)	\$ 57,440.00
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Block 701, Lot No. 7 (5.92 acres)	\$ 23,700.00
Block 701, Lot No. 9 (9.48 acres)	\$ 25,000.00

The metes and bounds description of the Property is subject to the approval of the Town and its professional engineers. Sealed bids shall be received by the Town of Hammonton Clerk until May 20, 2009 at 10 o'clock A.M. at the Town Hall, 100 Central Avenue, Hammonton, New Jersey, 08037, with said bids to be opened immediately thereafter by said Clerk, or her designee, in accordance with the procedures established by N.J.S.A. 40A:12-13, et seq. The envelope containing said bid shall have marked thereon "February 20, 2009 Land Sale Bid." A required bid form shall be available in the Municipal Clerk's Office. A bidder may bid on one, two or all three properties. Each parcel shall be considered in its own right without regard to the cumulative submission of any bidder.

All bids shall be referred to the Town Council for review and final approval pursuant to N.J.S.A. 40A: 12-13(a). The Town reserves the right to accept the highest bid or to reject any and all bids, including the highest bid, and shall make its decision known by Resolution within thirty (30) days after bids are received. If the Town rejects the bid(s), the deposit(s) shall be returned to the bidder(s) in full.

Upon the close of bidding, the highest qualified bidder for each lot, as designated by the Town of Hammonton Clerk, shall submit cash or certified check in the amount of ten percent (10%) of the Purchaser's bid, and shall immediately execute an offer to purchase at the bid price.

The highest qualified bidder, as designated by the Town of Hammonton Clerk, shall be the Purchaser.

Upon acceptance of the bid by the Town Council, the Purchaser and the Town shall sign a contract of sale, in a form acceptable to the Purchaser and the Town, prepared by the Purchaser or Purchaser's attorney.

The contract of sale shall contain the following provisions:

All deposit monies shall be held by a duly licensed New Jersey Title Insurance Company.

Title shall be conveyed by Bargain and Sale Deed with Covenants Against Grantor's Acts.

If the Town is unable, for reasons beyond its control, to convey insurable title, the Town shall refund the Purchaser's deposit. Upon such refund being made, the Contract of Sale shall be deemed cancelled and terminated and neither the Town nor the Purchaser shall have any further liability to the other.

Closing shall take place at the offices of the Purchaser's title insurer in the County of Atlantic and State of New Jersey within sixty (60) days of the execution of the Contract of Sale.

In the alternative to paying the balance of the purchase price in full by cash or certified check at the time of closing, the Purchaser may enter into a Purchase Money Mortgage with the Town, which mortgage shall require all payments due thereunder to be paid within five years from the date of closing at the interest rate required by N.J.S.A. 40A:12-13.

The Purchaser shall be responsible for the costs of recording the Deed, title insurance, survey, investigation expenses and all other closing costs.

The Property shall be conveyed subject to existing encumbrances, zoning regulations, easements, other restrictions, and such facts as an accurate survey would reveal, and any present or future assessments for the construction of improvements benefiting the property.

All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage according to law.

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

#### ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - recused

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#### RESOLUTIONS

#R29-2009 Resolution Setting Salary for Property/Zoning Official

#R 29 -2009

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance # 25 -2007 fixed a salary range for the employment of 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, 2009

<u>NAME OF EMPLOYEE</u>	<u>TITLE</u>	<u>2009 TOTAL</u>	<u>NOTATIONS</u>
John Warren	Field Rep/Property Imp.	25,915.00	effective 1/1/09
John Warren	Zoning Official, p.t.	7,285.00	Effective 1/1/09

AND BE IT FURTHER RESOLVED that said salary shall be in place effective 1/1/09.

#R30-2009 Authorize Tri Vet Memorial Day Parade

RESOLUTION # 30 -2009

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

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

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

WHEREAS, May 25, 2009 is the scheduled date for the Tri Vet Memorial Day Parade and Ceremony beginning at 10:30 a.m.; and

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

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

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

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

#R31-2009 Declare Gypsy Moth Public Nuisance (pre requisite to spraying process)

#R 31 -2009

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

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

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

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

#R32-2009 Authorize American Cancer Society Bikathon (insurance approved)

RESOLUTION # 32 -2009

RESOLUTION AUTHORIZING AND ENDORSING  
AMERICAN CANCER SOCIETY BIKATHON EVENT AND ROAD CLOSURE

WHEREAS, the **American Cancer Society** has and continues to promote the Town of Hammonton with their Annual Bikathon; and

WHEREAS, Mayor and Council has and continues to support the efforts of the American Cancer Society; and

WHEREAS, **July 12, 2009** is the scheduled date for the annual bikathon;

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

Egg Harbor Road (Route 561) from 9th Street to Park Ave.  
July 12th from 8:30 am to 3:00 pm

#R33-2009 Authorize Spanish Community Good Friday Procession (insurance approved)

RESOLUTION # 33-2009

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

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

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

WHEREAS, **April 10, 2009, at 3:00 p.m.** is the scheduled date for the Spanish Community Good Friday Procession; and

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

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

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

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

#R34-2009 Designate Atl Co Task Forces (requirement of JIF Insurance)

#R 34-2009

A RESOLUTION DESIGNATING THE EMPLOYEES OF THE TOWN OF HAMMONTON WHO ARE AUTHORIZED TO SERVE ON THE COUNTY OF ATLANTIC TASK FORCES AND/OR TEAMS

**WHEREAS**, certain employees of the Town of Hammonton have been designated and authorized by their Department Head to serve as a volunteer member of a County Task Force and/or Team; and

**WHEREAS**, it is necessary for the governing body of the Town of Hammonton to be aware of which employees have been so designated and authorized on an annual basis; and

**WHEREAS**, it is necessary for the Atlantic County Municipal Joint Insurance Fund (ACMJIF) to be aware of which employees have been so designated and authorized in order to determine whether these employees are entitled to Workers' Compensation coverage when they are serving as members of these County Task Forces and/or Teams; and

**WHEREAS**, it is necessary for the County of Atlantic to be aware of which employees have been so designated and authorized in order to determine whether these employees are covered through the County of Atlantic General Liability coverage when they are serving as members of these County Task Forces and/or Teams; and

**NOW THEREFORE BE IT RESOLVED**, by the Governing Body of the Town of Hammonton that the following employees are hereby designated and authorized to serve as a member of the respective County of Atlantic Task Force and/or Team:

Arson Investigators-Law Enforcement

1. Sgt. Steve Zoyac
2. K-9 Officer Jared Baglivo

SWAT Team Members

1. Det. Joel Frederico
2. K-9 Officer Brian Grasso
3. K-9 Officer Michael Carrelli
4. Ptl. James Pinto
5. Ptl. Kenneth O'Neil
6. Ptl. Sam Angello
7. Ptl. Peter Hagerty
8. Ptl. Donald Kunen

Fatal Collision Investigators

1. Capt. Robert Jones
2. Sgt. Sam Mavilla
3. Ptl. James Pinto

Hostage Negotiation

1. Det. Jerry Martinez

#R35-2009 Authorize Farmers Market (insurance approved)

RESOLUTION # 35-2009

RESOLUTION AUTHORIZING AND ENDORSING  
**HAMMONTON FARMER'S MARKET**

WHEREAS, MainStreet Hammonton Organization and Hammonton's Green Committee have and continue to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of MainStreet Hammonton and Hammonton's Green Committee; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Farmer's Market to take place the following **Friday evenings between 4:00 and 8:00 p.m.:**

- June 26**
- July 3, 10, 17, 24, 31**
- August 7, 14, 21, 28**
- September 4, 11**
- October 2**
- November 6**

BE IT FURTHER RESOLVED that approval be granted for the **closing of Front Street (from 12<sup>th</sup> Street to Passmore) between 3:00 and 9:00 p.m.;** and

BE IT FURTHER RESOLVED that the request for "no parking overnight" on Fridays be approved during the Hammonton Farmer's Market Event; and

BE IT FURTHER RESOLVED that the Town of Hammonton will provide trash removal and police assistance during this event; and



WHEREAS, the Town of Hammonton is in agreement with the Hammonton Anti-Drug and Alcohol Alliance Agreement and By Laws attached hereto; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey, that the attached Hammonton Anti Drug and Alcohol Alliance Agreement and By Laws are approved by the governing body of the Town of Hammonton.

#R38-2009 Combine General Improvement Bonds – (Requirement of Refunding Bond Ordinance)

#R 38-2009

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$7,450,000 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 Improvement Bonds in the principal amount of \$7,450,000.

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:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$5,619,000	1-06	Construction of a new Town Hall, finally adopted 1/23/06	40 years
\$247,000	1-07	Various improvements, finally adopted 2/26/07	5 years
\$4,744	3-07	Acquisition of turn-out gear, finally adopted 3/26/07	5 years
\$632,700	16-07	Various improvements, finally adopted 6/25/07	13.21 years
\$332,500	24-07	Reconstruction of Central Avenue, finally adopted 7/9/07	15 years
\$76,000	27-07	Boyer Avenue recreation improvements, finally adopted 9/24/07	15 years
\$21,375	03-08	Apron rehabilitation, finally adopted 2/25/08	15 years
\$114,000	28-08	Housing rehabilitation/senior citizen center, finally adopted 8/25/08	15 years
\$402,681	02-09	Acquisition of a fire truck, finally adopted 2/23/09	10 years

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 33.09 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued 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.

#R39-2009 Combine Water Utility Bonds(Requirement of Refunding Bond Ordinance)

#R 39-2009

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$840,000 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 Water Utility Bonds in the principal amount of \$840,000.

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:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$490,000	15-04, as supplemented by 12-05	Various water utility improvements, finally adopted 7/26/04, as supplemented 5/23/05	40 years
\$200,000	16-05, as reappropriated by 18-06	Various water utility improvements, finally adopted 5/23/05, as reappropriated 8/7/06	39.24 years
\$150,000	17-07	Various improvements, finally adopted 6/25/07	18.82 years

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

c. 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 36.03 years.

d. The Bonds of the combined issue shall be designated "Water Utility Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued 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.

#R40-2009 Combine Sewer Utility Bonds (Requirement of Refunding Bond Ordinance)

#R 40-2009

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF SEWER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY INTO A SINGLE ISSUE OF BONDS AGGREGATING \$1,145,000 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 Sewer Utility Bonds in the principal amount of \$1,145,000.

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:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$680,000	9-04, as supplemented by 17-05, as supplemented by 17-06	Various sewer utility improvements, finally adopted 5/24/04, as supplemented 5/23/05, as supplemented 8/7/06	25 years
\$465,000	18-07	Various improvements, finally adopted 6/25/07	16.07 years

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

e. 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 21.37 years.

f. The Bonds of the combined issue shall be designated "Sewer Utility Bonds" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued 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.

#R41-2009 Determine Form General Obligation Bonds (Requirement of Refunding Bond Ordinance)

#R41-2009

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$9,435,000 GENERAL OBLIGATION BONDS, CONSISTING OF \$7,450,000 GENERAL IMPROVEMENT BONDS, \$840,000 WATER UTILITY BONDS AND \$1,145,000 SEWER UTILITY BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND PROVIDING FOR THEIR SALE.

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

Section 1. The \$7,450,000 General Improvement Bonds of the Town of Hammonton, in the County of Atlantic (the "Town") referred to and described in the resolution adopted by the Town pursuant to the Local Bond Law of the State of New Jersey on March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$7,450,000 in Principal Amount," shall be issued as General Improvement Bonds (the "General Improvement Bonds"). The General Improvement Bonds shall mature in the principal amounts on January 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2010	\$25,000	2018	\$225,000
2011	50,000	2019	500,000
2012	25,000	2020	520,000
2013	25,000	2021	1,445,000
2014	25,000	2022	1,475,000
2015	25,000	2023	1,510,000
2016	25,000	2024	1,550,000
2017	25,000		

The General Improvement Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of Sale authorized herein. The General Improvement Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered GI-1 to GI-15, inclusive.

Section 2. The \$840,000 Water Utility Bonds of the Town referred to and described in the resolution adopted by the Town pursuant to the Local Bond Law of the State of New Jersey on March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of Water Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$840,000 in Principal Amount," shall be issued as Water Utility Bonds (the "Water Utility Bonds"). The Water Utility Bonds shall mature in the principal amounts on January 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2010	\$20,000	2018	\$70,000
2011	20,000	2019	70,000
2012	30,000	2020	70,000
2013	40,000	2021	90,000
2014	30,000	2022	90,000
2015	40,000	2023	90,000
2016	60,000	2024	90,000
2017	30,000		

The Water Utility Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of Sale authorized herein. The Water Utility Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered WU-100 to WU-115, inclusive.

Section 3. The \$1,145,000 Sewer Utility Bonds of the Town referred to and described in the resolution adopted by the Town pursuant to the Local Bond Law of the State of New Jersey on March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of Sewer Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$1,145,000 in Principal Amount," shall be issued as Sewer Utility Bonds (the "Sewer Utility Bonds"). The Sewer Utility Bonds shall mature in the principal amounts on January 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2010	\$10,000	2018	\$65,000
2011	10,000	2019	65,000
2012	10,000	2020	65,000
2013	50,000	2021	100,000
2014	50,000	2022	170,000
2015	50,000	2023	200,000
2016	50,000	2024	200,000
2017	50,000		

The Sewer Utility Bonds shall be subject to redemption prior to maturity in accordance with the terms of the Notice of Sale authorized herein. The Sewer Utility Bonds shall be fifteen in number, with one certificate being issued for each year of maturity, and shall be numbered SU-100 to SU-115, inclusive.

Section 4. The General Improvement Bonds, the Water Utility Bonds and the Sewer Utility Bonds collectively are sometimes referred to hereinafter as the "Bonds".

Section 5. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds of each issue maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required) through book-entries made on the books and records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the fifteenth day of January and July in each year until maturity or earlier redemption, commencing on January 15, 2010, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

The principal of and the interest on the Bonds will be paid to the Securities Depository by the Town or a duly authorized paying agent on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding January 1 and July 1 (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Town Clerk. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:                      Date of Delivery

Interest Payment

Dates:                                      Each January 15 and July 15, until maturity or earlier redemption, commencing on January 15, 2010.

Section 6. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to deliver and to market the Bonds in accordance with the requirements of The Depository Trust Company and the final terms of sale:

REGISTERED  
NUMBER A. \_\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF ATLANTIC

TOWN OF HAMMONTON

B. \_\_\_\_\_ BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
05/14/09	05/01/20__	_____%	_____

TOWN OF HAMMONTON, in the County of Atlantic, New Jersey (the "Town") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_), and to pay interest on such sum from the Dated Date of this bond at the Rate of Interest Per Annum specified above semiannually on the fifteenth day of January and July in each year until maturity or earlier redemption as provided herein, commencing on January 15, 2010. Interest on this bond will be paid to the Securities Depository by the Town or a duly appointed paying agent and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the January 1 and July 1 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town, will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue maturing prior to January 15, 2020 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after January 15, 2020 are redeemable at the option of the Town in whole or in part on any date on or after January 15, 2019 upon notice as required herein at par, plus in each case unpaid accrued interest to the date fixed for redemption.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than thirty (30) days, nor more than sixty (60) days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the Town or a duly appointed Bond Registrar. Any failure of the Securities Depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the Town determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the Town. The bonds to be redeemed having the same maturity shall be selected by the Securities Depository in accordance with its regulations.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the redemption price, together with unpaid accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption. Payment shall be made upon surrender of the bonds redeemed.

C. \_\_\_\_\_

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist,

have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the TOWN OF HAMMONTON, in the County of Atlantic, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Town Clerk, and this bond to be dated the Dated Date as specified above.

[SEAL]  
ATTEST:

TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC

By: \_\_\_\_\_ (Facsimile)  
Mayor

By: \_\_\_\_\_  
Clerk

By: : \_\_\_\_\_ (Facsimile)  
Chief Financial Officer

Section 7. In each of the \$7,450,000 General Improvement Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds.

- A. GI-\_\_.
- B. GENERAL IMPROVEMENT
- C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town adopted March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$7,450,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 8. In each of the \$840,000 Water Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds.

- A. WU-\_\_.
- B. WATER UTILITY
- C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town adopted March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of Water Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$840,000 in Principal Amount," and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 9. In each of the \$1,145,000 Sewer Utility Bonds the following language should be inserted in the places indicated by the corresponding letter in the form of the Bonds.

- A. SU-\_\_.
- B. SEWER UTILITY
- C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the Town adopted March 23, 2009 and entitled, "Resolution Providing for the Combination of Certain Issues of Sewer Utility Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey into a Single Issue of Bonds Aggregating \$1,145,000 in Principal Amount," and the bond ordinances referred to therein, each in all respects duly approved and published as required by law (the "Authorization Proceedings").

Section 10. The Bonds shall be sold on April 30, 2009 by electronic open auction with the two minute extension rule upon the terms and the conditions set forth in and described in the Full Notice of Sale authorized below and set forth in Exhibit A attached hereto (the "Full Notice of Sale"). The Full Notice of Sale shall be posted in full on Grant Street Group's MuniAuction Website ("MuniAuction"). The Town Clerk is hereby directed to arrange for the publication of the Short Notice of Sale authorized below and set forth in Exhibit B attached hereto (the "Short Notice of Sale") and the Summary Notice of Sale authorized below and set forth in Exhibit C (the "Summary Notice of Sale"). The Notices of Sale shall be posted and published as required by law not less than seven days prior to the date of sale. The full Notice of Sale shall be substantially in the form attached hereto as Exhibit A, the Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B, and the Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C, each with such additions, deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Short Notice of Sale shall be published in The Press of Atlantic City and the Summary Notice of Sale shall be published in the Bond Buyer, a financial newspaper published and circulating in the City of New York, New York.

Section 11. The Town hereby designates the Chief Financial Officer as the officer to sell and to award the Bonds and to act on behalf of the Town in accordance with the Notices of Sale authorized herein, and the Chief Financial Officer shall report in writing the results of the sale to this Town Council as required by law.

Section 12. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon & Scotland, L.L.C., ("Bond Counsel") complete except for omission of its date.

Section 13. Bond Counsel is authorized to arrange for the printing of the Bonds and the Financial Advisor or Bond Counsel are authorized to arrange for the printing of the Official Statement to be prepared in connection with the sale of the Bonds and to arrange for the distribution of the preliminary Official Statements on behalf of the Town to those financial institutions that customarily submit bids for such Bonds. The Financial Advisor, Auditor and Bond Counsel are authorized to prepare the Official Statement necessary in connection with the issuance of the Bonds, and the Mayor and the Chief Financial Officer of the Town are authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds. Bond Counsel,

the Auditor, or Financial Advisor is further authorized to arrange on behalf of the Town for a rating for the Bonds from Moody's Investors Service and/or Standard & Poor's.

Section 14. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary. The Town does not intend to issue more than \$30,000,000 of tax-exempt obligations in calendar year 2009 that would count towards the limitation imposed by Section 265 of the Code and hereby designates the Bonds as "bank-qualified" for purposes of Section 265 of the Code.

Section 15. It has been determined that the limitations as to the amounts of annual installments set forth in the Local Bond Law will adversely affect the financial position of the Town. Accordingly, the Town received the approval of the Local Finance Board for the maturity schedules provided herein for the Bonds pursuant to N.J.S.A. 40A:2-26(e).

Section 16. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 17. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 18. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, 2009, to each nationally recognized municipal securities information repository ("National Repository") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Town consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Town and certain financial information and operating data consisting of (1) Town and overlapping indebtedness including a schedule of outstanding debt issued by the Town; (2) the Town's most current adopted budget; (3) property valuation information; and (4) tax rate, levy and collection data. The audited financial statements will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law;

(b) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository, if any, notice of the following events with respect to the Bonds, if material (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes;

(c) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository if any, notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution.

(d) Any filing made pursuant to A, B or C above may, in lieu of filing with each National Repository and State Repository, if any, be made solely by transmitting such filing to the Texas Municipal Advisory Council (Texas MAC) at [www.DisclosureUsa.org](http://www.DisclosureUsa.org), provided that the United States Securities and Exchange Commission has not withdrawn its interpretive letter to Texas MAC dated September 7, 2004 approving use of the Texas MAC Central Post Office.

(e) Effective July 1, 2009, all filings required to be made pursuant to (a), (b) or (c) shall be made, as required by the Rule, to the Municipal Securities Rulemaking Board instead of to the National Repositories and the State Repository, if any, and to provide such information in an electronic format and accompanied by identifying information as prescribed by the Municipal Securities Rulemaking Board.

Section 19. If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

Section 20. The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 21. In the event that the Town fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Town shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 22. The Chief Financial Officer is authorized to invest the proceeds of the Bonds in investment obligations or deposits as permitted in accordance with New Jersey law.

Section 23. The Chief Financial Officer is authorized to pay the costs of issuance at or after the time of closing to the various participants regarding the sale and issuance of the Bonds, including costs for the open electronic auction, publications, preparation and printing of the official statement, credit rating, financial advisory services, legal services and other miscellaneous costs of issuing the Bonds.

Section 24. The Chief Financial Officer and other appropriate representatives of the Town are authorized to take all other actions on behalf of the Town necessary for the sale and the delivery of the Bonds in accordance with this resolution and the investment of the proceeds thereof in accordance with the requirements of law.

Section 25. This resolution shall take effect immediately.

#R42-2009 Determine Form and Other Details Refunding Bonds (Requirement of Refunding Bond Ordinance)

#R 42-2009

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$6,650,000\* PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS.

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

Section 1. Not to exceed \$6,650,000\* Refunding Bonds of the Town of Hammonton, in the County of Atlantic, New Jersey (referred to herein as the "Town") described in a bond ordinance of the Town finally adopted on March 23, 2009 and entitled, "Refunding Bond Ordinance of the Town of Hammonton, in the County of Atlantic, New Jersey, Providing for the Refunding of All or a Portion of the Outstanding Bonds of the Town, Dated July 1, 2001 Issued in the Original Principal Amount of \$8,576,000, Appropriating \$6,650,000 Therefor and Authorizing the Issuance of \$6,650,000 Refunding Bonds of the Town for Financing the Cost Thereof" shall be issued in the principal amount determined in accordance with this resolution as "Refunding Bonds" (the "Bonds"). The Bonds shall mature in the principal amounts on July 1 in each of the years as follows subject to adjustment as set forth in the Notice of Sale to meet the escrow requirements:

<u>Year</u>	<u>Principal Amount*</u>	<u>Year</u>	<u>Principal Amount*</u>
2010	\$405,000	2016	\$700,000
2011	500,000	2017	430,000
2012	515,000	2018	470,000
2013	660,000	2019	475,000
2014	665,000	2020	480,000
2015	695,000	2021	490,000

\*Subject to change as set forth in the Notice of Sale

The Bonds shall be 12 in number, with one certificate being issued for each year of maturity and shall be numbered R-1 to R-12, inclusive.

Section 2. The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of Bonds maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with The Depository Trust Company. The Depository Trust Company will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records regarding

\* Preliminary, subject to change

the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of any multiple of \$1,000 (with a minimum purchase of \$5,000 required) through book-entries made on the books and the records of The Depository Trust Company and its participants.

The Bonds will bear interest payable semiannually on the first day of January and July in each year until maturity, commencing on July 1, 2009, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1% and proposed by the successful bidder in accordance with the Notice of Sale authorized herein.

The principal of and the interest on the Bonds will be paid to the Securities Depository by the Town on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of each next preceding June 15 and December 15 (the "Record Dates" for the Bonds). The Bonds shall be executed by the manual or facsimile signature of the Mayor of the Town under the official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Clerk of the Town. The following matters are hereby determined with respect to the Bonds:

Date of Bonds:	May 14, 2009
Interest Payment Dates:	Each January 1 and July 1 until maturity, commencing on July 1, 2009.

Section 3. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the Town to deliver and to market the Bonds in accordance with the requirements of The Depository Trust Company and the final terms of sale:

3 - 23 - 09

REGISTERED  
NUMBER R-\_\_\_

REGISTERED  
\$ \_\_\_\_\_

UNITED STATES OF AMERICA  
STATE OF NEW JERSEY  
COUNTY OF ATLANTIC

TOWN OF HAMMONTON

REFUNDING BOND

DATED DATE:	MATURITY DATE:	RATE OF INTEREST PER ANNUM:	CUSIP:
05/14/09	07/01/___	_____%	_____

TOWN OF HAMMONTON, in the County of Atlantic, New Jersey (the "Town") hereby acknowledges itself indebted and for value received promises to pay to CEDE & CO., as nominee of The Depository Trust Company, which will act as Securities Depository, on the Maturity Date specified above, the principal sum of \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_), and to pay interest on such sum from the Dated Date of this bond at the Rate of Interest Per Annum specified above semiannually on the first days of January and July in each year until maturity as provided herein, commencing on July 1, 2009. Interest on this bond will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company as listed on the records of The Depository Trust Company as of the June 15 and December 15 next preceding the date of such payments (the "Record Dates" for such payments). Principal of this bond, upon presentation and surrender to the Town, will be paid to the Securities Depository by the Town and will be credited to the participants of The Depository Trust Company.

This bond is not transferable as to principal or interest except to an authorized nominee of The Depository Trust Company. The Depository Trust Company shall be responsible for maintaining the book-entry-system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

The bonds of this issue are not subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of the State of New Jersey and a refunding bond ordinance of the Town finally adopted March 23, 2009 and entitled, "Refunding Bond Ordinance of the Town of Hammonton, in the County of Atlantic, New Jersey, Providing for the Refunding of All or a Portion of the Outstanding Bonds of the Town, Dated July 1, 2001 Issued in the Original Principal Amount of \$8,576,000, Appropriating \$6,650,000 Therefor and Authorizing the Issuance of \$6,650,000 Refunding Bonds of the Town for Financing the Cost Thereof."

The full faith and credit of the Town are hereby irrevocably pledged for the punctual payment of the principal of and the interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the constitution or the statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Town, is within every debt and other limit prescribed by such constitution or statutes.

IN WITNESS WHEREOF, the TOWN OF HAMMONTON, in the County of Atlantic, New Jersey has caused this bond to be executed in its name by the manual or facsimile signature of its Mayor, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Clerk, and this bond to be dated the Dated Date as specified above.

[SEAL]  
ATTEST:

TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC

By: \_\_\_\_\_ (Facsimile)  
Mayor

By: \_\_\_\_\_  
Clerk

By: \_\_\_\_\_ (Facsimile)  
Chief Financial Officer

Section 4. The Bonds shall be sold on April 30, 2009 by electronic open auction with the two minute extension rule upon the terms and the conditions set forth in and described in the Full Notice of Sale authorized below and set forth in Exhibit A attached hereto (the "Full Notice of Sale"). The Full Notice of Sale shall be posted in full on Grant Street Group's MuniAuction Website ("MuniAuction"). The Chief Financial Officer is hereby directed to arrange for the publication of the Short Notice of Sale authorized below and set forth in Exhibit B attached hereto (the "Short Notice of Sale") and the Summary Notice of Sale authorized below and set forth in Exhibit C (the "Summary Notice of Sale"). The Notices of Sale shall be posted and published as required by law not less than seven days prior to the date of sale. The full Notice of Sale shall be substantially in the form attached hereto as Exhibit A, the Short Notice of Sale shall be substantially in the form attached hereto as Exhibit B, and the Summary Notice of Sale shall be substantially in the form attached hereto as Exhibit C, each with such additions, deletions and omissions as may be necessary for the Town to market the Bonds in accordance with the requirements of The Depository Trust Company and MuniAuction. The Short Notice of Sale shall be published in the The Press of Atlantic City and the Summary Notice of Sale shall be published in the Bond Buyer, a financial newspaper published and circulating in the City of New York, New York.

Section 5. The Town hereby designates the Chief Financial Officer as the officer to sell and to award the Bonds and to act on behalf of the Town in accordance with the Notices of Sale authorized herein, and the Chief Financial Officer shall report in writing the results of the sale to this Town Council as required by law.

Section 6. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon & Scotland, L.L.C., ("Bond Counsel") complete except for omission of its date.

Section 7. Bond Counsel is authorized to arrange for the printing of the Bonds and the printing of the Official Statement to be prepared in connection with the sale of the Bonds and to arrange for the distribution of the preliminary Official Statements on behalf of the Town to those financial institutions that customarily submit bids for such Bonds. The Financial Advisor, the Auditor and Bond Counsel are authorized to prepare the Official Statement necessary in connection with the issuance of the Bonds, and the Mayor of the Town is authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the Town by the Chief Financial Officer or by the Mayor of the Town. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds. Bond Counsel and the Financial Advisor are further authorized to arrange on behalf of the Town for a rating for the Bonds from Standard & Poor's and/or Moody's Investors Service.

Section 8. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds.

Section 9. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, New York, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with The Depository Trust Company and to satisfy any obligation undertaken in connection therewith.

Section 10. In the event that The Depository Trust Company may determine to discontinue providing its service with respect to the Bonds or is removed by the Town and if no successor Securities Depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds (the "Registered Bonds") in denominations of \$5,000, or any integral multiple thereof, except that an amount maturing in any one year in excess of the largest principal amount thereof equaling a multiple of \$5,000 will be in denominations of \$1,000, or any integral multiple thereof. The beneficial owner under the book-entry system, upon registration of the Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The Town shall be obligated to provide for the execution and delivery of the Registered Bonds in certificate form.

Section 11. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the Town shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to 270 days from the end of each fiscal year, beginning with the fiscal year ending December 31, 2009, to each nationally recognized municipal securities information repository ("National Repository") and to the appropriate State information depository ("State Repository"), if any, annual financial information with respect to the Town consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the Town and certain financial information and operating data consisting of (1) Town and overlapping indebtedness including a schedule of outstanding debt issued by the Town; (2) the Town's most current adopted budget; (3) property valuation information for property located within the school district; and (4) tax rate, levy and collection data. The audited financial statements will be prepared in

accordance with generally accepted accounting principles as modified by governmental accounting standards and mandated State statutory principles as in effect from time to time for school districts;

(b) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository, if any, notice of the following events with respect to the Bonds, if material (herein "Material Events"):

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions or events affecting the tax-exempt status of the security;
- (7) Modifications to rights of security holders;
- (8) Bond calls;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities; and
- (11) Rating changes;

(c) in a timely manner to each National Repository or to the Municipal Securities Rulemaking Board, and to the State Repository if any, notice of failure of the Town to provide required annual financial information on or before the date specified in this resolution.

Section 12. If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provision of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

Section 13. The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the Town prior to their offering. Such officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

Section 14. In the event that the Town fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the Town shall not be liable for monetary damages, remedy being hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 15. The Chief Financial Officer shall take all steps to call the outstanding callable school bonds dated July 1, 2001 and issued in the original principal amount of \$8,576,000, which callable bonds mature on July 1 in each of the years 2010 to 2021, inclusive (the "Refunded 2001 Bonds"). The Chief Financial Officer shall take all steps to call the Refunded 2001 Bonds on their first call date at par and to take all steps necessary for the investment of the proceeds of the Refunding Bonds necessary to arrange for such redemption. The Town's Financial Advisor and/or Underwriter on behalf of the Town are authorized to reserve and purchase open market treasury securities and/or United State Treasury—State and Local Government Series (SLGs) for deposit with the escrow agent. All of the principal amount and interest earnings on the open market treasury securities and/or SLGs, as well as cash, if necessary, will be used to pay the interest due on the Refunded Bonds through the Redemption Date and pay the Redemption Price on the Refunded Bonds on the Redemption Date. The Chief Financial Officer is hereby authorized, if necessary, to accept proposals for an escrow agent and to enter into an Escrow Deposit Agreement with such escrow agent in order to provide instructions regarding the deposit of the open market treasury securities and/or SLGs and cash, if any.

Section 16. The Chief Financial Officer is also authorized to pay the costs of issuance at or after the time of closing to the various participants regarding the sale and issuance of the bonds, based upon the recommendation of the Board's Financial Advisor, Auditor and Bond Counsel to pay such costs.

Section 17. The Chief Financial Officer is authorized to appoint a verification agent to confirm the accuracy of the arithmetical and mathematical computations supporting (i) the accuracy of the interest cost savings and the sufficiency of the amount in the escrow account to pay the interest due on the Refunded Bonds through the Redemption Dates and pay the Redemption Price on the Redemption Date; and (ii) the calculations of yield supporting the conclusion of bond counsel that the Bonds are not "arbitrage bonds" as such meaning is set forth in the Code.

Section 18. This resolution shall take effect immediately.

#R43-2009 Tax Resolution March

#R 43-2009

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

B&L	NAME	ADDRESS	AMOUNT	ACCT.	REASON	PER
4012-7.07	Berenato	23 Samantha Dr	3945.24	Tax	Refund Chase replace	Rosie
					Resolution #130-2008	
2007-13	unknown	Unknown	18.25	Tax	Refund St. Joe's School	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.

#R44-2009 Sustainable Jersey Municipal Certification Program

Town of Hammonton  
Resolution Supporting Participation  
In the Sustainable Jersey Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Hammonton strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Town of Hammonton hereby acknowledges that the residents of Hammonton desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Town of Hammonton wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Town of Hammonton is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Town of Hammonton, we have a significant responsibility to provide leadership which will seek community based sustainable solutions to strengthen our community.

NOW THEREFORE BE IT RESOLVED that to focus attention and effort within the Town of Hammonton on matters of sustainability, the Town Council wishes to pursue local initiatives and actions that will lead to sustainable Jersey Municipal Certification;

BE IT FURTHER RESOLVED by the Town Council of the Town of Hammonton that we do hereby authorize Susan Gietka to serve as the Town of Hammonton's agent for the Sustainable Jersey Municipal Certification process and authorize her to complete the Municipal Registration on behalf of the Town of Hammonton.

#R45-2009 Skinner Property Acquisition (pdf file)

Motion by Councilperson Lewis, seconded by Councilperson Barberio, **resolutions 29-45** be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - A

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

LICENSE APPROVAL

St. Martin Church raffle                      3/29/09

Motion by Councilperson Barberio, seconded by Councilperson Lewis, approve license(s) as listed by the clerk. Motion carried.

PUBLIC HEARD

Nick Bradford – Green Committee

Mr. Bradford requested everyone to contribute to conservation of energy on 3/28/09 at 8:30 pm by turning off their lights for one hour.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize participation in conservation of energy. Motion carried.

John Lolio

Mr. Lolio reported a problem with unclean catch basins on North Street and water flowing on neighboring properties.

Referred to Water/Sewer Committee.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.