

REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
April 27, 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 - A

PRESENT ALSO

Brian Howell, Town Solicitor

#R045A-2009 Enter Into Closed Session

#R 45A-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. Condie-Complaint
3. PBA Grievance-Health Benefits
4. Tax Appeals
5. SRO Agreement
6. Vendor Ordinance
7. Condo-Town services issue
8. Parking Lot - Negotiations

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

Motion by Councilperson Rodio, seconded by Councilperson Barberio, entered into closed session.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

ROLL CALL – RESUME OPEN SESSION

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

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

Chief Frank Ingemi

Chief Ingemi stated he is here to address two issues that appear on agenda this evening.

He first referred to Resolution concerning cell phone reimbursement. He stated this resolution decreases the allowance currently given to police officers for use of their cell phones for work purposes. He asked for council to reconsider the allowable reimbursement. He also asked council to include all members of the emergency response team as those who may be reimbursed for cell phone use. He advised that even though the current resolution states "may be reimbursed for use of cell phone", he has put out a mandate to his officers stating that those listed on resolution and including emergency response team "must" carry a cell phone for work purposes. He stressed the importance of being able to contact police officers as being a safety, health and welfare issue.

Councilman Bertino questioned if previous allowable reimbursement was contractual?

Chief responded, he's not certain.

Councilman Bertino questioned amount of previous reimbursement?

Chief responded \$300.00 per year.

Chief Ingemi then spoke concerning Patrolman Peter Hagerty's illness. He advised Mr. Hagerty has not been with the Town long enough to accumulate the sick time needed to combat his illness. To make matters worse, much of his sick time has already been used during the pre mature birth of his child. He asked Mayor and Council for their consideration in developing an ordinance similar to the ordinance that was repealed. He mentioned some changes that could tighten the ordinance so that its more workable financially such as ordinance pertaining to catastrophic illness of employee only and requiring employee to deplete all accumulated sick, vacation, comp time, or personal time. He also suggested the allowable amount of sick time to be donated be decreased. He does not feel allowing officers to donate their sick time to a fellow officer would adversely affect the municipal budget. He respectfully and sincerely requested Mayor and Council's consideration in this matter.

He thanked Mayor and Council for their time.

President of Mainland PBA

President of PBA implored council to allow fellow employees to give Patrolman Hagerty donated sick time even though there is no law allowing or regulating same at this time.

Mayor DiDonato questioned if the PBA union would be able to afford Patrolman Hagerty any assistance in this matter, since the previous ordinance allowing for donation of sick time has been repealed?

President of PBA responded they have a scholarship fund but are not equipped to handle this type of case.

Solicitor responded the former ordinance was legal and was repealed for administrative reasons. There would not be anything inhibiting a new ordinance from being proposed.

Maria Brita

Ms. Brita stated she was part of a union and was able to donate sick time to individual employee's. She feels it's a human thing to do.

APPROVAL OF MINUTES

Regular Meeting – March 23, 2009

Motion by Councilperson Barberio, seconded by Councilperson Lewis, the minutes be approved. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Airport Committee Presentation

Mr. Rock Colasurdo, Airport Administrator, updated Mayor and Council on Hammonton Municipal Airport. Mr. Colasurdo then introduced Jason Flood who spoke to council concerning his experience's in flying.

Ordinance 006A-2009 Designate Clerk Issue Raffle/bingo

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance 007-2009 Place \$400,000 grant in capital budget

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

No one desired to be heard.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance 008-2009 Amend Peace and Good Order

Solicitor advised following first reading he met with representatives of Municipal Court. Upon further investigation he recommends to rescind Ordinance 8-09 amending peace and good order.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, the ordinance be rescinded.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance 009-2009 Amend Minimum Bid Sale of Land

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

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 - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio

Reported on Administrative committee meeting concerning Missed/Late Punch policy on agenda this evening

BUSINESS & INDUSTRY-Councilperson Petrongolo

Reported on proposed revisions to special vendor permit to be taken up under Solicitor Report

EDUCATION-Councilperson Bertino

Report on bids received for 4<sup>th</sup> Street school renovation

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Report on interlocal agreement with ACUA to begin May 1<sup>st</sup> for Street sweeping services

Thanked Mt. Carmel Society for donation of flags for festival this year

LAW & ORDER-Mayor DiDonato

Report on Law & Order Committee Meeting-anticipate to begin interviews for Sergeant position when cert received

QUALITY OF LIFE - Councilperson Lewis

Report on KMD performance bond reduction-Quality of Life to meet on Thursday to inspect sites

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

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

Currently we are working to have the Contracts executed. Once complete we will schedule a pre-construction meeting and get the project construction underway.

The Town has received a draft inter-local services agreement from the County that would provide financial assistance to the Town in the amount of \$13,300.00 to complete the drainage improvements within two sections of Moss Mill Road. We understand that a resolution accepting the terms of the agreement will be considered by the Mayor and Council.

Refer to New Business for Resolution.

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

In conjunction with the investigative work authorized to be completed by Uni-Tech last meeting, they provided a report and price quote to complete the repair work for the Well #5 booster pump. The cost to complete the repair work was \$4,665.00. Due to the emergent need to get this booster pump back on line as quickly as possible, and at the direction of the Water Superintendent, the members of the PWT Committee and the Solicitor were called to seek authorization to proceed. As a result, Uni-Tech was authorized to make the needed repairs as quickly as possible. The work should be done during the week

of April 20<sup>th</sup>, therefore allowing the Wells to be placed back on line. In order to formalize the direction of the PWT Committee, we are requesting approval of the Purchase Order by the Mayor and Town Council.

Motion by Councilperson Bertino, seconded by Councilperson Rodio, approve Purchase Order # 09-00706 totaling \$4,665.00 to Uni-Tech Drilling Co., Inc. of Franklinville, NJ for repair of the booster pump at the Well #5 and 7 site on Fourteenth Street.

Councilman Bertino questioned how will we fund this project?

Frank Zuber, Accountant, responded Water OE.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

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

The latest on this matter involves a proposal prepared by ARH for the upcoming events regarding the discharge to groundwater compliance as well as the surface water permit appeal. Internal meetings have been held to discuss with Town Representatives to implement the next steps for installing a trial drip irrigation process at the Boyer Avenue site. The drip irrigation process will be monitored for use in a pure wastewater discharge capacity as well as a method to provide irrigation to the playing fields on the recreation side of the property.

The Pinelands Commission has continued their request for an optimization report which would address the suggestions set forth in the USGS study as well as how the Town could also benefit from drip irrigation throughout the Boyer Avenue acreage and potentially on the neighboring golf course. The Commission was interested in the Town using an independent consultant to lead in the formulation of the optimization report. The ARH proposal contains coordination tasks, however, the Town must secure the services of a qualified soils and hydraulic/hydrogeologic scientist to assist on this report. During the next month, the PWTC will interview potential candidates.

Activity on all Boyer Avenue related wastewater issues starts with the authorization of the attached proposal which includes the following tasks:

Task #1: Initiate the capitulation of information that will comprise the *Optimization Report* as requested by the Pinelands

Task #2: Periodic reports to Southern Enforcement (required per ACO)

Task #3: Annual statistical analysis on groundwater mounding (required as a condition of NJDEP Permit)

Task #4: Groundwater contour mapping (required as a condition of NJDEP Permit)

Task #5: Re-initiation of the drip irrigation technology and permitting alternatives

Task #6: General coordination of Town consultants and professionals

Task #7: Provide assistance to the Solicitor in the ongoing appeal of the Surface Water Permit including coordination of other Town consultants on this matter

The last services contract was issued on May 10, 2007 and funds were exhausted in March 2009. The cost for these tasks are summarized as follows:

SUMMARY	
Task 1	\$7,785.00

Task 2	\$2,260.00
Task 3	\$4,000.00
Task 4	\$4,700.00
Task 5	\$15,660.00
Task 6	\$6,600.00
Task 7	\$6,440.00
<b>TOTAL</b>	<b>\$47,445.00</b>

Motion by Councilperson Bertino, seconded by Councilperson Petrongolo, authorize the attached proposal at a value of \$47,445.00 per the draft resolution provided herewith.

Councilman Bertino questioned funding source?

Mr. Zuber responded Ordinance 22-2008.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

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

Major Modification Application:

As previously reported, according to the NJDEP, their preliminary assessment of data submitted by ARH reveals no adversary impacts. As a reminder, the NJDEP acknowledged that the Town was asking for 15 year demand projection as it relates to allocation. We were advised that 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. The release of the draft findings is contingent upon the Town addressing three irrigation wells under its ownership, each labeled as Well #6. Also contained in this report is a proposal for the resolution of this issue related to these three (3) wells. Two (2) of the wells are to be abandoned and the one largest production Well adjacent to the beach is to remain for now as discussed with the PWT Committee.

Future Well:

Although we have previously met with NJMIC representatives to discuss the placement of a new well along Chew Road on property currently owned by them, we have no formal response regarding their concerns. In an effort to expedite movement on this portion of the future well concerns, ARH has prepared a list of items that we believe may be issues for them. This letter will be released shortly to hopefully gain a timely response. Conclusion on this matter will allow the Town to pursue the test well program.

Motion by Councilperson Barberio, seconded by Councilperson Petrongolo, approve ARH proposal dated 3/30/09, copy attached, totaling \$2,100.00 to complete the work required by the NJDEP related to the three (3) wells at the Hammonton Lake Park, and issuance of a purchase order for same.

Councilman Barberio questioned if all 3 wells are on our allocation now? And will DEP allow us to move the allocation to a different location?

Mr. Vettese, Engineer, responded yes all wells are on our current allocation as a group, they are not individually categorized.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

5. Fourth Street Reconstruction (11-40034):

As discussed with the PWT Committee, we completed a general conceptual plan submitted to the Pinelands Commission to obtain a waiver of review for the proposed water main replacement within Fourth Street between Bellevue Avenue and Fairview Avenue. We received a response from the Pinelands Commission granting the waiver request. This would now allow us to complete the design plans, specifications, reports, etc. for submission to the NJDEP Bureau of Safe Drinking Water for a permit similar to that obtained for Rt. #54 replacement. Since the water main extension is outside the scope of our work of our original proposal, we will be providing a cost estimate to complete this task to the PWT Committee for review and, if deemed acceptable, presented to the Mayor and Council for consideration.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, approve the ARH proposal to complete the design, applications and reports required by the NJDEP Bureau of Safe Drinking Water and issuance of a Purchase Order \$7,650.00 for same and refer to New Business for resolution endorsing Fourth Street Water Main replacement.

Councilman Bertino questioned will waiting for CFO response on source of funding hold up the project?

Mayor DiDonato stated he feels the CFO will approve use of bond ordinance for funding.

Mr. Vettese advised the funding will have to come from Water OE if CFO denies use of bond ordinance.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

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

Last month the change order for the asphalt price adjustment was authorized by Council contingent upon the County's review and approval. We have sent the change order to the County for their review. If

accepted we will execute the change order and have the Contractor submit a payment request to cover the cost of the change order.

A letter has been issued to the Contractor outlining the tasks still needed to finish the project. We are attempting to have the Contractor schedule remaining work and complete this project allowing final close out to occur.

In order to finalize the work on Central Avenue, the County is requesting that some additional work be completed by P & A Construction which is noted below:

- Remove handicapped ramp and mid-block crosswalk in front of the old Town Hall entrance and remedy standing water condition at this location.
- Additional edge of pavement stripping, pavement markings, stop bar, etc. at various locations.
- Lower inlet casting on southerly side of Central Avenue opposite Broadway intersection.

The cost to complete the above noted work will be \$31,000. This cost would be reimbursable by the County.

Motion by Councilperson Rodio, seconded by Councilperson Barberio, approve Change Order to P&A Construction of Colonia, NJ for the work as described above for cost of \$31,000 subject to approval by Atlantic County.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

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

Bids were scheduled to be opened on Thursday April 23, 2009 at 9:00 A.M. Our office will report the results of the bid at this Council meeting. Ultimately we should be recommending an award to the lowest responsible bidder for Council's consideration. In conjunction with the award of a construction contract there is a need to oversee the construction work. ARH previously submitted proposal #08-0789 (attached) to complete final design tasks and oversee the construction. Council authorized the final design portion \$13,500.00 of the proposal, but has yet to act on the remaining portion of the proposal for Construction Management. We would therefore request Council's action on that part of the proposal totaling \$26,000.00.

Bidder	Base	ALT A	Alt B	Alt C
Asphalt Paving	528,213.75	56,400.00	34,000.00	825,155.00
Command Co.	419,674.00	31,200.00	37,000.00	627,292.00
Crown Pipeline	584,240.00	60,000.00	29,700.00	865,248.00
DiMeglio Const.	448,599.00	48,000.00	22,100.00	639,568.25
Highway Safety	415,761.95	30,000.00	17,855.00	623,907.25
Jersey Const.	447,752.50	48,000.00	45,500.00	633,775.00

Motion by Councilperson Barberio, seconded by Councilperson Rodio, authorize the remainder (\$26,000.00) of the ARH proposal #08-0789 to complete the Construction Management of the project and issue of a Purchase Order for Same and refer to New Business for resolution awarding contractor to low bidder for Hammonton Lake Park Bid.

Councilman Bertino questioned funding source for entire project?

Mayor DiDonato advised funding for this project is coming from grant, ordinance and recreation trust.

Councilman Bertino then questioned if he could view the parking plan?

Mr. Vettese advised a plan was handed out at public works committee meeting but he will forward another copy to Mr. Bertino.

Councilman Bertino questioned total number of parking area at Senior/Rec Center?

Mr. Vettese stated he could not say for sure without actually looking at the plan himself.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**8. 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 have forwarded a copy of this proposal to the PWT Committee for review. If deemed acceptable, we would request approval by the Mayor and Council.

Motion by Councilperson Rodio, seconded by Councilperson Lewis, approve ARH proposal dated 3/27/09 totaling \$11,750.00 for work at the Vine Street parking lot site and issuance of a Purchase Order for same.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**9. KMD Walnut Street Subdivision Performance Bond Reduction (11-20185.03)**

The developer has completed the majority of the site improvements associated with the subdivision and has requested consideration for a bond reduction. The original Performance Bond total was \$417,937.00, established by Sun National Bank in the form of a Letter of Credit #2007081. In review of the site improvements, we would recommend a reduction of the bond amount to \$125,385.00. This would allow for a remaining percentage retained of 30% for the project. We will be meeting with the Quality of Life Committee to seek their concurrence of the reduction request.

Motion by Councilperson Barberio, seconded by Councilperson Rodio, authorize reduction of the original Performance Bond/Letter of Credit totaling \$417,937.00 to \$125,385.00 subject to the approval from the Quality of Life Committee.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - recused

Councilman Bertino declared the motion carried.

**10. KMD Main Road Subdivision Performance Bond Reduction (11-20180.03)**

The developer has completed the majority of the site improvements associated with the subdivision and has requested consideration for a bond reduction. The original Performance Bond total was \$1,570,298.00 established by Sun Bank in the form of a Letter of Credit, #2007033. This Letter of Credit was reduced by Mayor and Council in January of 2008 to \$845,000.00. In review of the site improvements recently completed, we would recommend a further reduction to \$501,567.00. This would allow for a remaining percentage retained of 32% for the project. We will be meeting with the Quality of Life Committee to seek their concurrence of the reduction request.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize further reduction of the original Performance Bond/Letter of Credit From \$845,000.00 to \$501,567.00 subject to the approval from the Quality of Life Committee.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - recused

Councilman Bertino declared the motion carried.

**11. NJDOT FY2010 Grant Applications:**

The NJDOT is accepting applications for funding under the following programs:

- Municipal Aid
- Bikeway

- Centers of Place
- Safe Streets to Transit
- Transit Village

The March 16, 2009 letter from NJDOT has provided as an attachment to this report. The letter provides a description of each program. The deadline for submitting the applications is June 12, 2009. If the Town would like to pursue funding under these programs, ARH can prepare and submit applications for \$2,500.00 per application. Additionally, we offer the following comments related to the programs:

Municipal Aid:

This is the standard roadway program, which is the main funding source for the Fourth Street project. We will discuss potential project with the public works committee.

Bikeway:

Previously, applications have been submitted under this program, however funding has not been successfully obtained to date. We will need to know if ARH should prepare and submit under this program.

Centers of Place

Hammonton is eligible for funding under this program. We will discuss potential project with the public works committee.

Safe Streets to Transit:

If there are areas that are easily identifiable and void of sidewalk either along or near a transit route (i.e. bus route), we recommend making an application under this program.

Transit Village:

Our office is currently not aware of a potential Town project that would be eligible under this program.

If the Town would like to seek funding under these programs, we will need to know by the end of April to allow enough time to prepare and submit the applications and have a resolution ready for adoption for the May Council meeting.

Motion by Councilperson Lewis, seconded by Councilperson Petrongolo, authorize ARH to submit one application to the NJDOT associated with the 2010 Municipal Aid Program for \$2,500.00.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

12. NJDOT Transportation Enhancement Applications:

The NJDOT is accepting applications for funding under the Transportation Enhancement ARRA (Economic Recovery) Program. The deadline for applications is May 13, 2009.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize ARH to submit an application to the NJDOT associated with their Transportation Enhancement ARRA (Economic Recovery) program for a cost of \$2,500.00 and issuance of a purchase order for same and refer to New Business for adoption of resolution authorize TEA application and designating project selected by PWTC.

Councilman Bertino questioned can we use this funding for the lake parking?

Mr. Vettese responded no.

**ROLL CALL**

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**SEWER & WATER INFORMATION ITEMS**

**13. 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 and authorized that the Solicitor draft a revised agreement for execution between the Town and AT&T Communications subject to compliance with the items discussed. Once the revised agreement is signed by the Town and AT & T, the equipment upgrade could be started.

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

As previously reported this project is now closed out with the negotiated settlement as it related to the remaining punchlist items. The contractor has posted a 2 year maintenance bond in the amount of \$121,500.00 which will expire on June 30, 2010.

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

We have received approvals from the various agencies with the exception of the NJDEP Spill Fund. We are finalizing the bid documents for submission to the Spill Fund.

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.

**16. 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.

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

The Contractor has begun the process for the removal of the existing underground storage tanks and re-establishing the gas station to allow for reopening at this site. The agreement has been executed between the Town and Getty related to the conditions for discharge has been executed. The consultant is in the process of testing the effluent. Once the treatment process is deemed to be operating satisfactorily and the connection fees are paid to the Town, discharge of treated groundwater will be directed to the Town's system as per the agreement.

**PUBLIC WORKS INFORMATION ITEMS**

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

As requested last meeting, we directed a letter to the ACIA about possibly receiving funds to assist in a portion of the costs for the construction of the Senior Center at the Hammonton Lake Park. The ACIA has reviewed the request and has issued a letter requiring the supply of additional information before they could make a determination of eligibility. In order to complete a response, we have been in contact with Mr. Joseph Piccari and Triad related to providing the information requested by the ACIA associated with possible receipt of 2009 funds.

Once we obtain all the information requested, we will forward same to the ACIA for review. We will keep the Council informed of further progress. Much of the work being completed is in excess of our original proposal which we will discuss further with the PWT Committee.

19. **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 still waiting for a response.

NJDOT (storm water) – Our office has discussed additional storm water features with NJDOT and we will be required to submit an application for installation of storm sewer facilities. We are currently finishing up the application and supporting documentation and plan to submit to NJDOT within the next week.

*Funding:*

Previously, a meeting was held with USRD related to additional funding. Informally it is believed additional funding will be provided either via Stimulus Package funding or thru the traditional USRD program.

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

We have received a letter dated April 20, 2009 from the Pinelands Commission. It appears we will be receiving approval for public development of the Phase III activities at the May 8, 2009 Commission Meeting.

Efforts can now be focused on obtaining the following permits:

*Atlantic County Planning* – The site fronts Moss Mill Road and we will be creating a new access on Moss Mill.

*Cape-Atlantic SCD* – This is required for disturbances of 5000 SF or more.

*NJDEP BSDW* – This is to complete the water main loop thru the park to Boyer Avenue.

*NJDEP TWA* – This is to install on-site sanitary sewer main.

Additionally, we are still investigating the water supply options for providing irrigation to the site. There will be additional permitting requirements related to irrigation; however which permit still needs to be determined.

21. **Vacant Land Analysis – COAH Calculation (P#09-0079)**  
 Since the last meeting, we were requested by the Solicitor to proceed with the Vacant Land Analysis Map. We have completed an initial plotting of same which we will review with the PWT Committee. There is some additional information being requested by Shirley Bishop which will have to be discussed in further detail with the PWT Committee.
22. **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.
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 finalized the design plans and specifications to complete the improvements on the 3<sup>rd</sup> Street and Walmer Street intersection. We submitted same to the ACIA for review and have received a request for additional information and clarification which we are in the process of responding to. There may be some items of work that could be ineligible for ACIA participation and will be included in the Town's share for the cost of project improvements. We will await a formal response and inform Council of further progress. Once the plans and specifications are approved, we will advertise for bid.
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**

- Interlocal agreements
  - Street sweeping
  - Moss Mill Road
  - Earth Garden
- School Resource Officer Agreement
- Condominiums (snow removal, recycling)
- Pulte Update
- Kincaid: Buffer Removal Request

Motion by Councilperson Bertino, seconded by Councilperson Rodio, refer Kincaid buffer removal request to Planning and Zoning Boards for their review and interpretation of their request and report back to council. Motion carried.

Solicitor report continued

Award East Hangar Lease  
Vendor Ordinance Amendment  
Water Conservation Ordinance

MAYOR REPORT

2009 Municipal Budget Address  
Report on increased bond rating AA for Town of Hammonton

Councilman Bertino questioned if changes to the budget have been made from the handout from the Mayor at last council meeting?

Mayor DiDonato responded, there was a minor change for Gypsy Moth spray which amounted to 1 cent. Mayor further advised we are now bidding projects prior to putting the funding into place as a cost savings technique that has proven to work as bidders often look for the appropriation and bid on a higher scale.

A discussion was held between Councilman Bertino and Mayor DiDonato concerning projects that were discussed and are not reflected in the current budget handout.

Mayor assured Councilman Bertino that there is sufficient funding budgeted for each project.

Councilman Bertino still requested a list of proposed projects that the 2009 municipal budget will cover.

Mayor DiDonato stated he will give Councilman Bertino the list of approved projects as discussed by council at a previous meeting.

Councilman Bertino stated he prefers to see specifically in writing the budget he will be voting upon.

TOWN CLERK/ADMINISTRATOR REPORT

1. Approve civil service title of Const. Off'l for Frank Domenico previously appointed 6/1/07
2. Appoint Advocare Advanced Primary Care as town doctor effect. 3/12/09
3. Award quote Apron Repair Eagle Theatre Scrapple Brothers \$ 2,300.00
4. Award quote Vine Street Parking Lots Capaldi Brothers \$ 2,600.00

Motion by Councilperson Barberio, seconded by Councilperson Rodio, Town Clerk/Administrator action items 1 through 4 be approved.

Councilman Bertino questioned Vine Street Parking Lot work?

Mayor DiDonato advised there were a couple change orders as one contractor cracked the parking apron which needed repair and the other was an alternate plan.

ROLL CALL

Councilpersons:  
Barberio - Y  
Bertino - Y  
Lewis - Y  
Petrongolo - Y

Rodio - Y  
Wuillermin - A  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVE BILLS & PURCHASE ORDERS in agenda packet  
Revenue & Budget Balance Report in Agenda Packets

Motion by Councilperson Rodio, seconded by Councilperson Lewis, the bill list and purchase orders for grants, ordinances, trust accounts be approved.

ROLL CALL

Councilpersons:  
Barberio – recused on Triad bills only  
Bertino – recused on Photo Lab bill only  
Lewis - Y  
Petrongolo - Y  
Rodio - Y  
Wuillermin - A  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

1. From April Maimone request M&C approve 12 months service credit for time previously worked with the Town of Hammonton
2. From Fire Co. 1 accept resignation Steven Carr (Fire Chief approved)
3. From Fire Co. 2 remove Matthew Gazzara (Fire Chief approved)
4. From Pat Berenato refund escrow balances no longer needed
5. From Steve and Jackie Kincaid request agricultural barrier (taken up under Solicitor report)
6. From Peter Hagerty request sick leave of absence
7. From Peter Hagerty request reinstatement of donation of sick time ordinance that was repealed

Approval of Communication Items 1-4

Motion by Councilperson Barberio, seconded by Councilperson Bertino, approve communications action items #1 through #4.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Communication Item 5

Voted upon under Solicitor report earlier.

Approval of Communication Item 6

Motion by Councilperson Bertino, seconded by Councilperson Lewis, communication item #6 be approved.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Discussion – Communication Item 7

A discussion of council was held concerning communication item 7, request for reinstatement of donation of sick time ordinance, and the possibility of holding a fund raiser for the affected employee. Various ideas were discussed by Mayor and Council including implementation of supplemental insurance plan to be paid for by employee and at their choice.

Motion by Mayor DiDonato, seconded by Councilperson Barberio, authorize a fund raiser for Patrolman Hagerty with the goal of raising \$10,000.00 with Mayor and Chief organizing same and implementation of AFLAC or other Supplemental Insurance Plan (paid for by employee at their option).

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Motion by Councilperson Bertino to authorize Solicitor to prepare donation of sick time ordinance with maximum of 10 day donation per employee. No second on the motion received.

Councilperson Lewis offered to serve on a committee with Councilman Bertino concerning the issue of donation of sick time to hopefully come up with a resolution that is acceptable and works for everyone involved, including the taxpayers. Mayor DiDonato agreed to serve on the committee as well.

NEW BUSINESS-ORDINANCES

Ordinance #10-2009 Amend Chapter 271-18.1 "handicap parking" authorized 3/23/09 CM

Ordinance # 010-2009

ORDINANCE AMENDING THE CODE OF THE  
TOWN OF HAMMONTON CHAPTER 271-18.1,  
ENTITLED "HANDICAP PARKING ON STREET"

BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic, New Jersey, that the Code of the Town of Hammonton, Chapter 271-18.1 be amended to add the following:

B. One handicap parking space be placed on the roadway in front of premise located at 208 Peach Street

BE IT FURTHER RESOLVED that any Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies only.

This Ordinance shall take effect immediately upon due passage and publication according to law.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, the ordinance be tabled and referred to Highway Committee for investigation. Motion carried.

Ordinance #011-2009 Bond Ordinance Various Improvements

Ordinance # 11-2009

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND ACQUISITIONS BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$687,000 AND AUTHORIZING THE ISSUANCE OF \$6,200 BONDS OR NOTES TO FINANCE A PORTION OF THE COST

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$687,000, including \$630,400 expected to be received as a New Jersey Department of Transportation grant and \$50,000 expected to be received as a New Jersey Department of Community Affairs grant and also including the aggregate sum of \$400 as the down payment for the improvements or purposes required by the Local Bond Law. The down payments have been made available by provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$6,200 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Preparation and completion of the Downtown Form-Based Design Guide Code and Smart Futures Form-Based Design Guide Code	\$100,000  (including a grant in the amount of \$50,000 from the New Jersey Department of Transportation)	\$0	5 years
	(including a grant in the amount of \$50,000 from the New Department of Community Affairs)		
b) Fourth Street Reconstruction—2008 Project and 2009 Project	\$305,000  (including two separate grants in the amounts of \$145,000 and \$160,000, respectively, from the New Jersey Department of Transportation)	\$0	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
c) Acquisition and installation of runway end identifier lights at Hammonton Municipal Airport	\$132,000		
	(including a grant in the amount of \$125,400 from the New Jersey Department of Transportation)	\$6,200	15 years
d) Acquisition and installation of security camera system at Hammonton Municipal Airport	\$150,000		
	(including a grant in the amount of \$150,000 from the New Jersey Department of Transportation)	\$0	5 years
TOTALS	<u>\$687,000</u>	<u>\$6,200</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Town may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$6,200, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$75,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. 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 notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Ordinance #12-2009 Amend Special Event Vendor License

ORDINANCE # 12 -2009

Be it ordained by the Mayor and Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey as follows:

**SECTION 1: PURPOSE**

The Mayor and Council of the Town of Hammonton wish to amend Ordinance # 30-2005 (Chapter 204) and establish regulations for a special event vendor license to be obtained for Town sponsored and Town approved events for the health, benefit, safety and welfare of the public of the Town of Hammonton.

**SECTION 2: DEFINITIONS**

**A) Special Event** - Any public gathering sponsored by the Town of Hammonton or approved by the governing body of the Town of Hammonton.

**B) Craft Vendor** - Any person, partnership, corporation or similar business entity, whether a town resident or not who, either by foot, vehicle or any other manner sells merchandise of any type or quantity at a Town sponsored or Town approved special event. Food shall not be considered merchandise for the purposes of this Ordinance.

**C) Food Vendor** - Any person, partnership, corporation or similar business entity, whether a town resident or not who is the vendor of produce, prepared or prepackaged foods.

**SECTION 3: LICENSE**

Applicants for a special event vendor license shall present to any entity sponsoring the event the following:

1. Name, address and phone number of the person, partnership, partner, corporation or similar business entity.
2. A description of the nature of the sales to be conducted and type of business that will conduct sales.

3. Description of the location where the sales will be conducted in the Town.
4. The times when the sales will be conducted within the Town.
5. Certificate of Insurance showing the Town of Hammonton as an additional insured.
6. License or permits with the County of Atlantic
7. If electrical access, open fires or use of propane: certificate from Fire Marshall's office showing that all BOCA codes are met.
8. All food vendors must be registered with the Atlantic County Board of Health and present proof of that registration with their submission.
9. All current governmental registrations and licenses must be displayed at the sale location.
10. All vendors (food and craft) shall provide the license plate number of a vehicle owned by the person who will conduct sales operations at the event. Any partnership, corporation, limited liability company or similar business entity shall also provide the Town of Hammonton with its tax identification number.

**SECTION 4: ISSUANCE OF LICENSE**

Any sponsoring entity supervising the event, shall obtain the application, collect any fees and review same. If it provides for all of the requirements set forth in Section 3 as above stated, the application and any fees shall be forwarded to the Town Clerk's Office for issuance of license.

**SECTION 5: FEES**

There shall be a \$25.00 fee for each license.

CONSIDER FEE GOOD FOR:                      Each event

**SECTION 6: EXEMPTIONS**

Any veteran of any branch of the United States Armed Forces that is the individual or sole proprietor of the entity applying for the Business Registration is exempt from any fees but must still complete the application process and comply with all requirements set forth in Section 3 of this ordinance.

**SECTION 7 - ENFORCEMENT**

It shall be the duty of any police officer or code enforcement official of the Town of Hammonton to enforce the provision of this ordinance.

**SECTION 8 - PENALTY**

Any person, who violates any of the provisions of this ordinance shall upon conviction, be subject to a fine of not more than TWO HUNDRED FIFTY DOLLARS (\$250.00). Each day the violation shall exist shall be construed as a separate offense.

**SECTION 9 - SEVERABILITY**

If any part of this ordinance shall, for any reason adjudged by a court of competent jurisdiction be declared invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance which will be declared severable.

**SECTION 10 - REPEALER**

All previous Ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance of the Code of the Town of Hammonton as adopted are hereby repealed.

**SECTION 12 - EFFECTIVE DATE**

This Ordinance shall take effect in thirty (20) days after final passage and publication required by law.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R45B-2009 Authorize NJ ABC Renew Trinity Vintners "indirect conflict"

#R 45B-2009

Town of Hammonton

County of Atlantic

Resolution Authorizing NJ ABC to Renew Conflict Liquor License

WHEREAS, the following liquor license holder has applied for renewal of 2009/10 Plenary Retail Consumption Licenses:

License #	License Name	License Holder	Location
0113 33 013	Trinity Vintners Investment Holdings LLC	Phillip Brunozzi	216 Bellevue Ave.

WHEREAS, John DiDonato is landlord and note holder and NJ ABC has deemed that to be an "indirect conflict of interest." Accordingly, said renewal application was forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey that the Governing Body has no objection to the renewal of Plenary Retail

Consumption Licenses Number 0113 33 013 and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, Resolution 45-2009 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - recused

Councilman Bertino declared the motion carried.

#R46-2009 Amend #R166-08 Cell Phone Reimbursement

#R 46 - 2009

RESOLUTION AMENDING

RESOLUTION # 166 -2008

A RESOLUTION ADOPTING A POLICY

FOR CELL PHONE REIMBURSEMENT

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

**WHEREAS**, the Mayor and Council wish to develop a policy that would recognize those employees who must and those employees who may have use of a cell phone during work and "after hours" for work related emergencies; and

**WHEREAS**, the Mayor and Council wish to develop a policy in which the employee may purchase their cell phone and be reimbursed for its work-related use with the Town of Hammonton;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the following list represents department head (positions) who are mandated to retain a cell phone for work purposes:

Road Superintendent

Water Superintendent

Sewer Superintendent

Recreation Supervisor

Construction Official

Computer Tech

Town Clerk/Administrator

Police Chief

Fire Chief

**NOW, THEREFORE BE IT FURTHER RESOLVED** by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the following list represents those employees (positions) who may retain use of a cell phone for their work with the Town of Hammonton:

Highway Department

Assistant Road Superintendent

Mechanic

Equipment Operator

Truck Driver

Water Department

All employees (3) – on call for emergencies

Sewer Department

All employees (4) – on call for emergencies

Construction

Property Maintenance Official

Police Department

Captain

2 Lieutenants

3 Detectives

5 Sergeants

4 K-9 Officers

First Response Unit (emergency task force)

Fire Department

Assistant Fire Chief

Administrative Assistant

**BE IT FURTHER RESOLVED** that all cell phones will be registered with the Town Clerk/Administrator and Police Dispatch only and will be reimbursed \$15 per month/\$180 annually (pro rated when necessary) by the Town of Hammonton; and

**BE IT FURTHER RESOLVED** that those who "may" retain use of cell phone for work will only be reimbursed if they register their cell phone number with the Town Clerk office and police dispatch; and

**BE IT FURTHER RESOLVED** that in the event an employees work related cell phone is damaged while being used during work and for work purposes, then the Town will reimburse the employee for their new standard cell phone (upgrades to new phone will be paid by the employee; and

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

Motion by Councilperson Barberio, seconded by Councilperson Bertino, Resolution 46-2009 be adopted with addition of Police First Response Task Force.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R47-2009 Authorize Contract GovDeals to sell town equipment on website

#R047-2009

A RESOLUTION AUTHORIZING THE TOWN OF  
HAMMONTON TO ENTER INTO A CONTRACT  
WITH GOV DEALS FOR INTERNET AUCTIONEERING  
SERVICES TO SELL THE TOWN'S SURPLUS PROPERTY

WHEREAS, there is a need to sell surplus property belonging to the Town of Hammonton; and

WHEREAS, the Town of Hammonton wishes to authorize Gov Deals to provide internet auctioneering services for the sale of surplus property; and

WHEREAS, Gov Deals is authorized under State Contract #70967 to perform said services on behalf of the Town of Hammonton; and

WHEREAS, the funds the Town of Hammonton receives from the sales of the surplus property will be posted as reserve for sale of municipal assets; and

WHEREAS, Mayor and Council wishes to award a contract to Gov Deals pursuant to the terms and conditions set forth in State Contract #70967; and

WHEREAS, said contract is awarded without the necessity of further bids pursuant to N.J.S.A. 40A:11-12 et seq; and

WHEREAS, the Town's Accountant has certified that funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, in the County of Atlantic, and State of New Jersey, that Gov Deals is hereby authorized to provide auctioneering services for the sale of surplus property under the terms and conditions set forth in State Contract #70967; and

BE IT FURTHER RESOLVED, that the Mayor and Town Clerk are hereby authorized and directed to execute a contract with Gov Deals in accordance with the terms of its State Contract.

This Resolution shall take effect immediately.

#R48-2009 Authorize Feast of Our Lady of Mt. Carmel Event

RESOLUTION # 48 -2009

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL  
"FEAST OF OUR LADY OF MT. CARMEL" PROCESSION AND CARNIVAL  
July 14<sup>th</sup> through July 19<sup>th</sup>

WHEREAS, the Mt. Carmel Society continues to promote the Town of Hammonton with their annual "Feast of Our Lady of Mt. Carmel" procession and carnival; and

WHEREAS, Mayor and Council has and continues to support the efforts of the Mt. Carmel Society; and

WHEREAS, the above listed week is the scheduled date for the Lady of Mt. Carmel carnival and events in the Town of Hammonton; and

WHEREAS, the Mt. Carmel Society has requested assistance of the Town of Hammonton Police Department, the closing of Mt. Carmel Lane (from French to Pratt) and holding the Mt. Carmel event for the week above listed week; and

WHEREAS, July 16<sup>th</sup> is the scheduled date for processions, one at 9:00 A.M. and one at 4:00 P.M., (times may vary at discretion of Hammonton Police Chief) and the Mt. Carmel Society requests police protection and road closures of the following streets in the Town of Hammonton for said procession:

9:00 a.m. procession

From Mt. Carmel Hall (Tilton St. to Bellevue Ave.)  
Right on Bellevue proceed to Washington St.  
Left onto Bellevue and proceed to Central Ave.  
Left onto Third St. and proceed to Pratt St.  
Right onto Pratt St. and back to Tilton St.

4:00 p.m. procession

From St. Joseph Church west (S 3<sup>rd</sup> Street to intersection of 3<sup>rd</sup> & Fairview)  
Continue south to the (intersection of Fairview & Egg Harbor Road)  
Continue east to the (intersection Egg Harbor Rd./Railroad Ave & Bellevue)  
Continue north on Bellevue to (intersection of Bellevue & 3<sup>rd</sup> St.)  
Conclude parade at place of origin traveling west to (St. Joseph Church)

WHEREAS, the Mt. Carmel Society is also requesting the closing of Tilton Street (from French St. to Pratt St.) for the above listed week inclusive to sponsor carnival which will be situated on Mt. Carmel grounds bound by Third, Pratt and French streets, Tilton to be used as part of the midway;

WHEREAS, the Mt. Carmel Society is also requesting the closing of Third Street (from Pratt to Pleasant) for the above listed week;

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 July 16<sup>th</sup> week of carnival and events and the July 16<sup>th</sup> Our Lady of Mount Carmel Society procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificate by Mt. Carmel Society.
2. 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.

#R49-2009 Interlocal Service Agreement – Atlantic County

RESOLUTION # 49-2009

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
FOR MOSS MILL ROAD DRAINAGE WITH ATLANTIC COUNTY

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

**WHEREAS**, the Town of Hammonton has determined that there exists a need for drainage improvements on Moss Mill Road; and

**WHEREAS**, the Town of Hammonton and the County of Atlantic have agreed to share the cost for said improvements.

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

1. The Agreement which is annexed hereto and made a part hereof with the County of Atlantic is approved.
2. That the Mayor and Town Clerk/Administrator are hereby authorized to execute said agreement.

#R50-2009 Establish Missing/Late Punch Policy for Timekeeping System

# R 50-2009  
RESOLUTION ESTABLISHING A  
MISSING AND LATE PUNCH POLICY  
FOR THE TOWN OF HAMMONTON  
TIME KEEPING SYSTEM

WHEREAS, there exists a need to establish a policy for Town of Hammonton Time Keeping System that addresses the missing and late punches in a fair and consistent manner; and

WHEREAS, the attached "Missing" and "Late" punch polices have been reviewed and approved by the Administration Committee and the Town Solicitor; and

WHEREAS, the attached "Missing" and "Late" punch Reporting Forms must be completed by the Employee and their Department Head for each missing and late punch.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the attached "Missing" and "Late" punch reporting forms and polices be adopted and be made part of the Town of Hammonton Employee handbook and time keeping procedure.

#R51-2009 Introduce 2009 Municipal Budget

#R 51-2009  
TOWN OF HAMMONTON  
RESOLUTION TO INTRODUCE THE 2009 MUNICIPAL BUDGET

**BE IT RESOLVED**, that the following statement of revenues and appropriations shall constitute the Local Municipal Budget for the year 2009;

**BE IT FURTHER RESOLVED**, that the said budget be published in the Hammonton Gazette, edition of May 6, 2009 as follows:

A hearing on the budget and tax resolution will be held at the Town Hall on the 26th day of May, 2009 at 7:00 o'clock p.m., at which time and place objections to said budget and tax resolution of the Town of Hammonton for the year 2009 may be presented by taxpayers or other interested persons.

**Summary of General Section of Budget**

**Current Fund**

Municipal Purposes within "CAPS"	\$9,667,528.96
Municipal Purposes excluded from "CAPS"	1,703,681.19
	Reserve for Uncollected Taxes
855,548.45	
Total General Appropriations	\$12,226,758.60
Less: Anticipated Revenues	5,808,476.94
Amount to be Raised by Taxation	<u>\$6,418,281.66</u>

#R52-2009 Self Examination of Budget

**TOWN OF HAMMONTON  
RESOLUTION # 52-2009**

**SELF-EXAMINATION OF BUDGET RESOLUTION**  
*[as required by DCA]*

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

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

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Town of Hammonton has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2009 budget year.

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,

c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

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

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

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

#R53-2009 Temporary Capital Budget

#R 53-2009  
TOWN OF HAMMONTON  
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce A bond ordinance to provide funds for the Downtown Form-Based Code, Fourth Street Reconstruction, Installing REILs at Airport Runway ends and Security Camera System at the Airport including all appurtenances necessary and related thereto, and:

WHEREAS, the regulations of the Local Finance board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Services requires that the municipality adopt a temporary capital budget if a bond ordinance is to be passed prior to the adoption of the Annual Capital Budget, and:

WHEREAS, the ordinance provides a total appropriation as follows:

<u>Description</u>	<u>Total Appropriation</u>	<u>Bonds or Notes</u>	<u>Downpayment -- Capital Improvement Fund</u>	<u>Grant</u>
<b>General Capital Fund</b>				
Downtown Form-Based Code	\$ 50,000		\$	50,000 (a)
Smart Futures Form-Based Code	50,000			50,000 (b)
Fourth Street Reconstruction (2008)	145,000			145,000 (a)
Fourth Street Reconstruction (2009)	160,000			160,000 (a)
Install REILs at Airport Runway ends	132,000	\$ 6,200	\$ 400	125,400 (a)
Security Camera System at Airport	<u>150,000</u>			<u>150,000 (a)</u>
Totals	<u>\$ 687,000</u>	<u>\$ 6,200</u>	<u>\$ 400</u>	<u>\$ 680,400 (a)</u>

(a) NJ Department of Transportation  
(b) NJ Department of Community Affairs

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic that:

- (1) a Temporary Capital Budget is hereby created for the following:
 

<u>General Capital Fund</u>		
Downtown Form-Based Code	\$	50,000
Smart Futures Form-Based Code	50,000	
Fourth Street Reconstruction (2008)		145,000
Fourth Street Reconstruction (2009)		160,000
Install REILs at Airport Runway ends		132,000
Security Camera System at Airport		<u>150,000</u>
		<u>\$ 687,000</u>
- (2) these projects will be included in the Annual Capital Budget, and
- (3) one certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

Motion by Councilperson Barberio, seconded by Councilperson Lewis, resolutions numbered 47 through 53 be adopted.

ROLL CALL  
Councilpersons:  
Barberio - Y  
Bertino - Y  
Lewis - Y  
Petrangolo - Y

Rodio - Y  
Wuillermin - A  
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R54-2009 Furlough Plan

# R 54-2009  
RESOLUTION ESTABLISHING A  
STAGGERED FURLOUGH PLAN IN THE TOWN OF HAMMONTON

WHEREAS, the Mayor and Council of the Town of Hammonton wish to establish a furlough plan that will work within the 2009 and 2010 municipal budget; and

WHEREAS, the 2009 municipal budget reflects a reduction in revenue; and

WHEREAS, within each municipal department there has been a reduction in work load due to the slowing economy; and

WHEREAS, the 2009 municipal budget reflects Governor Corzine's and County Executive Levinson's lead in using a one (1) day per month furlough plan in lieu of layoffs to control spending in all departments except the police department; and

WHEREAS, all full time employees, except police department, are subject to this policy and shall take a one (1) day per month furlough commencing June 1, 2009 through and including December 31, 2010 as an unpaid day off, and

WHEREAS, the furlough day may be taken at any time during a particular month, as scheduled and approved by the department head;

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

1. the furlough plan be and hereby is adopted;
2. no employee shall be paid for any work day that is designated as his or her temporary furlough day and that employee shall not report to work on that date;
3. nothing contained herein shall negatively impact any employee's health benefits, seniority, anniversary dates or leave time;
4. the department heads shall take all necessary action to ensure that the furlough plan shall not impact public health and safety;
5. the clerk is hereby authorized to prepare and submit to the Civil Service Commission and any other appropriate governmental authority the proposed furlough plan for its/their approval;
6. department heads are directed to utilize their best efforts to continue to maintain the quantity and quality of service currently enjoyed by the taxpaying public despite implementation of this furlough plan; and
7. this plan, in order to ensure the continued protection of the health and safety of the general public, shall not pertain in any manner to the police department

Motion by Councilperson Barberio, seconded by Councilperson Rodio, resolution 54 (furlough plan) be adopted.

Councilman Bertino questioned who has investigated and determined that the work load has slowed in every town department as he disagrees with this statement?

Mayor DiDonato replied that all revenues are down, therefore, one can conclude that the workload is also down.

A discussion was held between Councilperson Bertino and Mayor DiDonato at which time each strongly defended their own opinions on the issue of 2009 Municipal Budget, Town of Hammonton financial status and the need to furlough or lay off employees.

Mayor DiDonato brought to Councilman Bertino's attention, once again, that the Town of Hammonton receiving a new bond rating of AA was no small task and the Town must be financially strong in order to receive such a designation as double A bond rating.

Councilperson Bertino stated one last time that he feels the Mayor sends mixed messages to the public when he states the Town is financially stable and then needs to furlough employees to meet his 2009 and 2010 Municipal Budgets.

Both agreed to disagree.

The Clerk noted the United Worker Labor Union filed an objection to the furlough plan and she e mailed the letter to council and Solicitor today.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - N

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R55-2009 Authorize ARH Perform Evaluation Boyer Avenue Land Application

#R 55- 2009

AUTHORIZING ADAMS, REHMANN & HEGGAN ASSOC., INC.  
TO PERFORM EVALUATION SERVICES FOR  
THE BOYER AVENUE LAND APPLICATION SITE  
AND ASSISTANCE ON THE APPEAL OF THE SURFACE WATER PERMIT

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey have the responsibility for the operation and maintenance of the Wastewater Disposal Facility known as the Boyer Avenue Land Application site; and

WHEREAS, the Town of Hammonton is involved in an Administrative Consent Order to address the conditions at the disposal facility that are achieving results less than the design objectives; and

WHEREAS, there are ongoing activities that the Town is required to accomplish with regard to the ACO and other activities that are conditions of the annual NJPDES Permit; and

WHEREAS, the ACO activity, permit requirements and investigation of innovative technologies require the services of the Town Engineer; and

WHEREAS, additional activity involves continued assistance on the appeal of the Surface water permit which also requires services of the Town Engineer; and

WHEREAS, Adams, Rehmann & Heggan Assoc., Inc. have presented a proposal dated March 19, 2009, for the Town's consideration that addresses the tasks necessary to accomplish the requirements set forth; and

THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby authorize the Adams, Rehmann & Heggan Assoc., Inc. to perform the tasks noted in the proposal in the amount of \$47,445.00 subject to certification of availability of funds from the CFO.

#R56-2009 Endorse Water Main Replacement – Fourth Street

#R 56-2009

RESOLUTION ENDORSING THE WATER MAIN REPLACEMENT  
WITHIN FOURTH STREET EXTENDING BETWEEN  
BELLEVUE AVENUE, STATE ROUTE #54  
TO FAIRVIEW AVENUE, COUNTY ROUTE #678

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey has received funds from the NJDOT to allow for the reconstruction of Fourth Street; and

WHEREAS, it is the desire of the Mayor and Council to upgrade and replace old existing public utilities lines within the roadways to be reconstructed in the Town in conjunction with the proposed roadway improvement project limits; and

WHEREAS, there is a need to provide an upgrade in the water main between the 12 inch main on Fairview Avenue and the 12 inch main on Bellevue Avenue to allow for increased water pressure to the center of Town while replacing an old existing 6 inch main water main within Fourth Street; and

WHEREAS, there is a need to replace the existing water service laterals along the section of water main within Fourth Street without the need for increased water allocations; and

WHEREAS, the Town of Hammonton has received a waiver of submission letter from the Pinelands Commission to allow for the placement of the new water main within the paved surface of Fourth Street; and

WHEREAS, there is a need to receive an approval for the proposed water main replacement from the NJDEP Bureau of Safe Drinking Water.

THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton, County of Atlantic, State of New Jersey that it endorses the proposed water main replacement project within Fourth Street for the limits noted and authorize the Town Engineer, Adams, Rehmann & Heggan Associates, Inc. to complete all necessary work tasks to complete and obtain a water main replacement permit from the NJDEP Bureau of Safe Drinking Water.

#R57-2009 Award Bid Hammonton Lake Park

#R 57-2009

RESOLUTION OF AWARD

HAMMONTON LAKE PARK

WHEREAS, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey have identified a need for parking and related site improvements within the Hammonton Lake Park; and

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

WHEREAS, the Town has advertised and received bids for the project entitled Hammonton Lake Park in accordance with the Public Contracts Law; and

WHEREAS, six bids were received on April 23, 2009; and

WHEREAS, the lowest responsible bidder for the base bid and the alternates selected is Highway Safety Systems, Inc. of Hammonton NJ; and

WHEREAS, following the review of the bids, the award scenario chosen is the Base Bid plus Alternate Bids A plus Alternate Bid B resulting in a total project cost of \$463,616.95; and

WHEREAS, Highway Safety Systems, Inc. bid for this project is acceptable; and

THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton hereby awards the improvements to the Hammonton Lake Park in the Town of Hammonton, Atlantic County to Highway Safety Systems, Inc. in the total amount of \$463,616.95 subject to compliance with the conditions noted below:

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

#R58-2009 TEA Application

#R 58-2009

RESOLUTION APPROVING APPLICATION TO NJDOT FOR  
TRANSPORTATION ENHANCEMENT ARRA (ECONOMIC RECOVERY) PROGRAM

**WHEREAS**, the Mayor and Town Council of the Town of Hammonton, County of Atlantic, State of New Jersey is desirous of requesting funding consideration from the State of New Jersey Department of Transportation under Transportation Enhancement ARRA (Economic Recovery) Program, and

**WHEREAS**, the Town of Hammonton is requesting funding for the projects entitled:

**Enhancement of Train Station Lot and Public Parking**

**WHEREAS**, the Town Engineer has been authorized to prepare the required Application under the NJDOT SAGE Program, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and COMMON COUNCIL OF THE TOWN OF HAMMONTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that

1. The applications for NJDOT funding is hereby approved.
2. Mayor and Town Clerk are hereby authorized to sign the agreements.
3. The Town Engineer is authorized to provide all required reports, narratives, estimates and maps required for NJDOT funding consideration.

#R59-2009 Approve Program Plan and Budget NPP "Little Italy"

#R60-2009 Interlocal Service Agreement ACUA Street Sweeping

RESOLUTION # 60-2009

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
FOR STREET SWEEPING SERVICES

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

**WHEREAS**, the Town of Hammonton and the County of Atlantic have agreed to enter into an interlocal service agreement inwhere the ACUA will provide street sweeping services to the Town of Hammonton beginning May 1, 2009 through April 30, 2010 in the amount of \$ 3,500.00 per month.

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

3. The Agreement which is annexed hereto and made a part hereof with the County of Atlantic is approved.
4. That the Mayor and Town Clerk/Administrator are hereby authorized to execute said agreement.

#R61-2009 Award Bid Lease East Hangar-Airport

#R 61-2009

Resolution Awarding Bid for Lease of East Hangar at Academy Road

Whereas, the Mayor and Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey owns the premises at Block 5702, Lot 15.01 known as the East Hangar adjacent to the Hammonton Municipal Airport; and

Whereas, Mayor and Town Council have determined that it is in the public interest to lease the said premises to an entity which can, in whole or in part, support the aviation activities conducted on the adjacent Hammonton Municipal Airport premises; and

Whereas, the bid specifications contained a notification provision to all potential bidders that the future relocation of Academy Drive may eliminate a portion of the leased premises; and

Whereas, the premises are being rented in an "as is" condition; and

Whereas, all terms of the bid specifications and the bid advertisement shall be incorporated herein; and

Now, therefore be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey hereby award the bid to Equipment Xchange, LLC of Pennsauken, New Jersey at a monthly rental of \$1,200.00 per month for a term of five (5) years with appropriate increases as specified in the bid specifications; and

Be it further resolved that the Solicitor shall prepare a lease consistent with the terms of the bid specifications and advertisement.

#R62-2009 Interlocal Agreement School Resource Officers

RESOLUTION # 62-2009

RESOLUTION AUTHORIZING INTERLOCAL SERVICES AGREEMENT  
WITH HAMMONTON BOARD OF EDUCATION

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

**WHEREAS**, the Town of Hammonton has agreed to provide School Resource Officer(s) to Hammonton Board of Education for school year 2009-2010 in the amount of \$210,634.52; and

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

5. The Agreement which is annexed hereto and made a part hereof with Hammonton Board of Education is approved.
6. That the Mayor and Town Clerk/Administrator are hereby authorized to execute said agreement.

#R63-2009 Interlocal Agreement – Rain Garden

Motion by Councilperson Barberio, seconded by Councilperson Bertino, resolutions numbered 55 - 63 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - A

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Joseph Ingemi

Mr. Ingemi, referring to swine flu, suggested a notice or link to public safety health advisories be placed on townofhammonton.org as well as local channel 9, if possible.

Referred to committee.

Russell Milazzo

Mr. Milazzo, highway department employee, stated he was watching the discussion concerning furloughs on television at home. He advised Mayor and Council that he strongly disagrees with their interpretation of the workload at least at the highway department. He advised highway department employees are busier than ever and cannot keep up with the workload. The furlough would place a hardship on the department, the worker and the services to the citizens.

He also advised that some citizens of Hammondon do not follow the law and have no concern for the worker when placing out trash totes, brush, etc. Even though flyers are handed out and the procedure is placed on town website and channel 9, many citizens do not follow the directives.

A discussion was held concerning how to better advise citizens when and how to place totes and brush at curbside with Mayor DiDonato suggesting that Councilman Rodio give monthly updates on procedure at council meetings. However, Mr. Milazzo's concern as to the workload in the Highway Department and the furlough adversely affecting the workers and services was not acknowledged.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes Approved by Susanne Oddo, Town Clerk/Adm.