

Regular Meeting of Mayor and Council
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
May 24, 2010 at 6:00 P.M.
Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilpersons:
Barberio - Present
Bertino – Absent (entered during closed session)
Gribbin - Present
Lewis - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor

Enter Into Closed Session

#R 049A-2010

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. Review Closed Session Minutes
2. COAH Update
3. Skinner Building Update
4. Route 54
5. Attorney Client Privilege

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 - Yes
Bertino – Absent (entered during closed session)
Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

RESUME OPEN SESSION-ROLL CALL

Councilpersons:

Barberio – Present
Bertino - Present
Gribbin - Present
Lewis - Present
Pullia - Present
Rodio - Present
Mayor DiDonato - Present

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese of ARH, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

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

Route 54 Update

Mr. Joseph Pantalone was present to advise the public of the status of the Route 54 project. He advised that the work has ceased due to the subcontractor having financial problems. Though he is working diligently on a resolution to this matter, he cannot discuss or act on same this evening. However, he anticipates a resolution to this matter within the week.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, authorize the Solicitor, Engineer and Water & Sewer Committee to make a decision and move forward on Route 54 project within the week.

ROLL CALL

Councilpersons:

Barberio – Yes
Bertino - Yes
Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Councilperson Pullia stated for the record that the contractor is fully bonded and the problem occurring with Route 54 project is not costing the taxpayers any additional funding.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

Mark McDaniels – Basin Road

Mr. McDaniels questioned what, if anything, has been done for those residents with contaminated wells in this area?

Mr. Vettese, Town Engineer, responded that those with contamination must abandon their wells and the

Town is working on funding water extension to this area.

Mr. McDaniels questioned if his connection fee would be waived?

Mr. Vettese responded, the connection fee is not normally waived in this circumstance, however, that item can be discussed in the future?

APPROVAL OF MINUTES

Executive Session Minutes April 26, 2010

Regular Meeting Minutes April 26, 2010

Special Meeting Minutes May 3, 2010

Motion by Councilperson Bertino, seconded by Councilperson Barberio, approve above listed minutes as recorded by the Clerk. Motion carried.

COMMITTEE REPORTS

Administration -Councilperson Barberio

No action items as Administration Committee did not meet this month.

Will report further under Quality of Life Committee report.

Business & Industry-Councilperson Gribbin

Thanked Chamber of Commerce for Award Banquet and recognized new business owners

Thanked Mainstreet Hammonton for Cruisin Mainstreet Success

Friday June 25 1st of the season-Farmers Market

Sunday June 27 Red White Blueberry Festival will be held on school grounds

Education-Councilperson Bertino

No action items this evening

Public Works & Transportation-Councilperson Rodio

Bulky pickup June 7-11

Brush pickup June 14-18

Referred other items to Engineer report

Law & Order-Mayor DiDonato

No Law and Order Committee Meeting this month but Chief's report was reviewed by committee

Quality of Life – Councilperson Lewis

Report on meeting with Senior Citizen Committee for events and fundraisers

Annual Tri Vets Memorial Day Parade Monday May 31 at 10:30 a.m.

Councilperson Barberio added:

Park Commission approved purchase of bike racks for visitors to Farmers Market

Park Commission approved speed bumps to be placed at Hammonton Lake Park

Water & Sewer – Councilperson Pullia

Report on proposed reappropriation bond ordinances for 4th Street Project under New Business this evening

Advised on fund Raiser for Jack Valerio-injured firefighter to be held June 26

ENGINEER REPORT

SEWER & WATER ACTION ITEMS

1. Dunkin Donuts Sanitary Sewer Lateral (ARH # 11-10017.02)

We reviewed the proposed conceptual plan to provide a new sanitary sewer service lateral for the Dunkin Donuts store with the PWTC. The lateral will be rerouted onto the adjacent Broadway Square Plaza property where an easement is being secured. It will then extend out to the sanitary sewer main within Berwyn Avenue. We have also reviewed the plans with the Sewer Superintendent and the Town Construction Official. The PWTC has approved the conceptual plan as long as all easements are obtained and the plans comply with applicable standards and comments from the Town Engineer's Office.

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, approve request for the rerouting of the sanitary sewer lateral to service the Dunkin Donuts store subject to the Applicant securing all necessary easements, compliance with applicable standards and the review comments from the Town Engineer's Office.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

2. Walden Estates Preliminary Approval Sanitary Sewer and Water Main Extension (ARH # 11-110033.03)

We have received a packet of design plans, reports and flow calculations related to the request for public water and sanitary sewer extension to service the proposed 14 unit townhouse project. We have reviewed the plans and information with the Water and Sewer Superintendents along with the PWTC. At the PWTC meeting it was recommended that the plans be approved as submitted subject to compliance with the Town Engineer's letter dated April 27, 2010. It was also requested that the water main be extended an additional 80 linear feet to allow ease of future extension if needed. Since the water extension will service less than 15 dwelling units and the main extension is less than 1500 linear feet, no NJDEP Bureau of Safe Drinking Water is required. However, a Treatment Works Approval is required for the proposed sanitary sewer extension with the new roadway.

Refer to New Business for consideration of resolution.

PUBLIC WORKS ACTION ITEMS

3. Fourth Street Reconstruction (ARH #11-40034): *no status change*

Public Bidding: Our office is in the process of completing the final design plans. Once complete we will submit to NJDOT seeking authorization to bid.

Funding: It should be noted the Town has \$485,000 from NJDOT (FY2008 \$145,000 + FY2009 \$160,000)

+ FY2010 \$180,000). These funds can be used on the roadway drainage and concrete work proposed for the project. The cost of the water main will need to be funded by the Town.

We met with the PWTC and Frank Zuber to review the project cost estimates in relation to existing funds available for the projects. We also discussed the need to reappropriate some existing Ordinances to provide for sufficient funds to award the project for the full length including water main replacement. The base bid will extend along Fourth Street between Bellevue Avenue and Pratt Street. Alternate "A" will include the section of Fourth Street extending between Pratt Street and Fairview Avenue. There are a number of Ordinances that appear on the Council agenda for first reading that would provide for the reappropriation of various Ordinances in order to secure the additional project funding.

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize ARH to advertise for bids for 4th Street project. No further action on this item taken this evening.

ROLL CALL

Councilpersons:

Barberio – Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

4. **Lincoln Street SJ Gas Site Remediation (ARH #11-30000):**

There are two outstanding issues following our meeting with South Jersey Gas (SJG) Company regarding their plans for the first phase of the site remediation process at the Lincoln Street well site. They are to provide a production schedule and ARH is to discuss with them the plans to construction a potential new structure to facilitate the chemical feeds to the water system. This facility was planned to be constructed leaving the existing structure in tact to service the operation. Once the new structure is operational, then SJG will commence to work around the existing facility. It is possible that the existing chemical feed building facility will remain for use as storage by the Town. However, it is also possible that the existing structure may need to be demolished. If so, the demolition will be at the expense of SJG. It is not anticipated that SJG's operation will affect the tower stability in any fashion, but further evaluation of the tower issue will occur as the site remediation effort begins. We will keep the PWTC and Council aware of further progress.

We have still not received the schedule for the first phase of the site remediation process at the Lincoln Street well site. Also, further discussion needs to occur with South Jersey Gas regarding the fate of the existing Chemical Building and the affect of their remediation on the Town's ability to operate the facility concurrent with the remediation. We will reach out to SJG for a status update by the next meeting and review same with the Water Superintendent and the PWTC.

5. **First Road Resurfacing, County Route # 688 – Town Utility Installations (ARH #11-01000):**

We have discussed the project concept with the PWTC related to the water main extension and

replacement. Once the Fourth Street project is bid, we will review the possibilities for project funding. We

will also be preparing a proposal to complete the project fieldwork, design and permitting for Council's consideration, possibly for next month's Council meeting. We will discuss and review same with the PWTC first.

6. **Moss Mill Road/White Horse Pike Utility Extension (ARH #11-50124):**
As noted last meeting, the project is substantially complete. There are a number of punch list items that need to be completed prior to closeout, including final restoration. We have a request in to the Contractor to schedule the remaining punch list items.

7. **Route 54/Bellevue Avenue Utilities (ARH #11-50120):**
Progress to date has been minimal. Our office has learned that the named sub-contractor on the project will no longer be on the job. It is currently our position that in order to remain qualified to perform the work required on this project we will need a new named sub-contractor. The Town has the right to approve or disapprove of the new sub-contractor. Additionally, we have documented progress to date, and we have formally requested on a number of occasions that the Contractor provides a schedule to illustrate substantial completion in accordance with the Contract documents. If an approved named sub-contractor and an acceptable schedule are not in place, we may need to seek alternative means to completing this project. We will keep the PWTC, Solicitor and Council informed of further updates.

8. **Boyer Avenue Land Application Site – Drip Irrigation/Beneficial Reuse (ARH #11-50127) (no status change):**
Optimization Report -
Ray Ferrara and Joe Pantalone attended the April 26, 2010 P&G Committee meeting of the Pinelands Commission. A detailed summary of the meeting was provided to the PWTC. In all, the presentation made by the Pinelands was reasonable with the exception of some issues that required clarification. Based on the discussion at the meeting, the next step is for the PWTC to review the elements scheduled for implementation. Prior to scheduling of that meeting, ARH, Omni and the Superintendent will meet to outline the items for discussion.

Lee Rain – Trial Application -
As previously mentioned, the drip irrigation process commenced in March. Part of the discussion that will be held with PWTC is a summary of the successes of drip irrigation as well as max loading of the trenches. As mentioned, the consultants will be preparing a summary on these items as well as part of the implementation phase.

9. **Water Allocation (ARH #11-30088):**
Major Modification Application:
At the April 26, 2010 Pinelands meeting, the correlation between the Boyer Avenue Land Application site status and the pending request for additional diversion rights was discussed. The members of the P&G subcommittee appeared to be empathetic to the issues that confront Hammonton and made inquiries of their staff that appeared to be favorable to Hammonton's position. A final report is proposed to be released on this issue by the Pinelands staff for the June Commission meeting.

Future Well:
As reported last month, members of the PWTC will be contacting various property owners in the area related to these sites to seek their input about the possibility of securing property for this project. More pressing activities in the Town have taken precedent.

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

Due to the limited response to the questionnaires previously sent, a second round of letters will be issued shortly. Pending items include:

- ~ A formal submission to the Spillfund Program to obtain approval of the design plans and scope following response from the residents.
- ~ Solicitor to finalize the agreements with the Torissi's and Adamucci's related to use of their agricultural wells.

PUBLIC WORKS INFORMATION ITEMS

11. **Pratt Street, Cedar Branch Stream Drainage Easements (ARH #11-06002.03):**
We forwarded a copy of the right-of-entry agreement to the NJDOT for review and their legal department approved the form of the Agreement. The Town Solicitor can now proceed to send out the Agreement to each of the property owners along the drainage corridor for signature. Once all right-of-way agreements are executed and filed by the Solicitor, the NJDOT will be notified to proceed with the permit requests for stream cleaning.
12. **North Street Drainage (ARH #11-06003):**
As authorized at last Council meeting, survey crews will proceed to obtain the remaining locations along the southerly property in order to finalize the base plan. We will then prepare the design sketch for review by the PWTC and property owner before proceeding further.
13. **2010 Roadway Resurfacing Program (ARH #11-40040):**
We will be meeting with the PWTC over the next few months to once again discuss the various processes, costs, road list, etc. and provide a recommendation to Council for consideration later this Spring.
14. **ACIA 2009 Funding Request (ARH #11-40038):**
It was discussed that the Town is eligible to receive up to \$114,586.00 for projects which will meet for ACIA guidelines for the 2009 allocation. There is also a portion of the 2006 funds, approximately \$30,000.00 remaining from the 3rd and Walmer Street project which could also be applied to a new eligible project. We will discuss options for funding eligibility with the PWTC and the ACIA. Once a roadway or project area is selected, we will provide the proposal for Council's consideration to complete a formal application to the ACIA for funding consideration. We will be directed by the PWTC and Council's recommendation. This must be discussed in further detail as quickly as possible so that the funding could be secured.
15. **Atlantic County Open Space Trust Funds – Rounds 6, 7 & 8 (ARH #11-01070):**
The Town will need to provide Ranae Fehr from Atlantic County with a letter indicating the progress accomplished by the Town to date related to completing the work on the properties involved in the round #6, #7 & #8 funding. The Solicitor will update the Council on this matter, and will be preparing the appropriate resolutions for Council's action as authorized last meeting. As noted at prior meetings, progress on this topic must be shown so as to not jeopardize existing and future Atlantic County Recreation and Open Space funds.
16. **Second Road - Berenato and Cioffi Property (ARH #11-01083):**
ARH has completed only the tasks as originally approved by Mayor and Council associated with the above noted property. Henry Weigel from our office has been in contact with the Solicitor related to what would be required by way of further site investigation. Henry has prepared a memo and cost estimate related to the remaining tasks or investigations that will be required for the site. We will be discussing same at an upcoming PWTC meeting, before presenting same to Council.
17. **Hammonton Lake Park (ARH #11-90028):**

At this time the final the close out documents have been submitted for the requisition of the \$400,000 grant from Atlantic County. It is anticipated the County will provide a project sign which will need to be installed by the Town prior to release of payment to the Town.

Phase II – Planning & Design: (no status change)

The pending completion of Phase I construction will lead to the planning and design of Phase II. It has been expressed that a basin is not desired in the picnic area. In order to make modifications to the plan and reapply to the Pinelands Commission, we will be supplying a proposal for the altered design. This proposal has been started, however our concentration has been on closing out phase I prior to moving into phase II.

18. Boyer Avenue Recreation - Phase III (ARH #11-75003):

As previously reported, there are two outstanding permits that need to be obtained one from Atlantic County and one from the Soil Conservation District. We are preparing the submissions to both agencies. The main hurdle currently resides with the need to irrigate the proposed fields. Several options are being explored with the PWTC so they could decide which approach would be best for the Town. Since the last reporting period; the drip irrigation trial has been implemented within the fenced area on the Boyer Avenue

site. We anticipate being able to gauge the results of the trial within the next month or two. This may provide a viable alternative for providing irrigation on the playing fields which would also be one of the options for discussion.

19. Egg Harbor Road Parking Lot (ARH #11-40029):

Since the last reporting period the proposed storm water management system has been sized and the calculations are near complete. Once all calculations are complete, we will finalize the Drainage Report in support of a submission to the Pinelands Commission seeking approval for public development.

SOLICITOR REPORT

1. Award bid BEANFIELD under New Business this evening
2. Tax Appeals Finalized (thank you-MaryJoan Wyatt)
3. Water Conservation Report on Water Usage
4. COAH Update
5. Report on Airport bid specifications modification (roof & bathroom) and new bid date to be determined
6. Flag-lot Ordinance to be taken up under New Business this evening
7. Curb & Sidewalk Ordinance to be taken up under New Business this evening
8. Open Space-Request authorization to report to County

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize Solicitor to proceed to county with those properties interested in participating in providing open space for grant funding.

ROLL CALL

Councilpersons:

Barberio – Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

9. Skinner Building Update
10. School Resource Officer Agreement-Held until June 7, 2010 special meeting

11. Royce Run Agreement
12. Fire Department Agreement to Utilize Property for Drills

Motion by Councilperson Pullia, seconded by Councilperson Barberio, authorize enter into agreement with property owner of 191 S. White Horse Pike for fire department drill use contingent upon proper insurance.

ROLL CALL

Councilpersons:

- Barberio – Yes
- Bertino - Yes
- Gribbin - Yes
- Lewis - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

13. PULTE update
14. Authorize Solicitor to advertise for RFP's for utility consultant

Motion by Councilperson Barberio, seconded by Councilperson Gribbin, authorize Solicitor to advertise for RFP's for utility consultant.

ROLL CALL

Councilpersons:

- Barberio - Yes
- Bertino - Yes
- Gribbin - Yes
- Lewis - Yes
- Pullia - Yes
- Rodio - Yes
- Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

15. Route 54 project status
16. Cedar Branch Stream
17. Rescind Resolution #115-2009 airport kitchen bid award

Motion by Councilperson Rodio, seconded by Councilperson Barberio, rescind resolution 115-2009.

ROLL CALL

Councilpersons:

- Barberio - Yes
- Bertino - Yes
- Gribbin - Yes

Pullia - Yes
Rodio – Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Advertise Special Meeting June 7

Motion by Councilperson Barberio, seconded by Councilperson Rodio, authorize Clerk to schedule special meeting June 7, 2010 at 5:30 pm for 4th Street bond ordinance hearings, and SRO agreement, as well as any additional items that may be urgent.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

MAYOR REPORT

Report on Friday Night's Prom and Cruisin Main Street Event & thanked police department for traffic control

TOWN CLERK REPORT

Report on Power Coop Meeting and May 27 Deadline for Submission of Town Accounts

No action taken this evening as town is advertising for energy consultant.

APPROVE BILLS & PURCHASE ORDERS

Motion by Councilperson Lewis, seconded by Councilperson Gribbin, approve bill list and request for purchase orders listing.

Councilperson Rodio noted that ACUA bill for street sweeping will remain \$3500 per month after further negotiating with ACUA.

ROLL CALL

Councilpersons:

Barberio – Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #007-2010 Reappropriation Bond Ordinance

Ordinance # 007-2010

ORDINANCE RE-APPROPRIATING \$438,228.38 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE VARIOUS WATER UTILITY IMPROVEMENTS ASSOCIATED WITH THE 4TH STREET RECONSTRUCTION IN AND 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 (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$438,228.38 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number and Section</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Re-appropriated</u>
8-04	Various improvements, finally adopted on May 24, 2004	\$183,232.87
15-04(a) and (c)	Various improvements including (Section a) replacement of Central Ave Water Main and (Section c) repair/replacement of Well #4 booster pump and roof, finally adopted July 26, 2004	127,905.96
16-05 (a)	Various improvements including (Section a) Egg Harbor water Main Extension, finally adopted on May 23, 2005	8,092.70
7-06 (b)	Various improvements including (Section b) replacement of windows and doors at Well #4, finally adopted on May 22, 2006	41,999.75
17-07 (a) and (b) which was reappropriated by 17-08	Various improvements including (Section a) painting of the 4 th Street water tank and (Section b) water improvements to Vine Street from egg to Central and Bellevue to Vine, finally adopted on May 22, 2006 and reappropriated to on May 8, 2008	62,837.10
21-08 (2-2)	Various improvements including (Section 2) roof repairs to Well 5, finally adopted July 28, 2008	<u>14,160.00</u>
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	Total	<u>\$438,228.38</u>

Section 2. The \$438,228.38 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby re-appropriated for various water utility improvements associated with the reconstruction of 4th Street, as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto.

Section 3. The capital budget of the Town of Hammonton is hereby amended, if necessary, 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.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #008-2010 Reappropriation Bond Ordinance

Ordinance #008-2010

ORDINANCE RE-APPROPRIATING \$302,169.76 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE 4TH STREET RECONSTRUCTION IN AND 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 (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$302,169.76 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the Town of Hammonton, in the County of Atlantic, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Re-appropriated</u>
3-03 as amended by 10-5	Municipal building improvements, finally adopted May 27, 2003 as amended on May 23, 2005	\$900.00
15-05	Improvements to Pleasant Street, finally adopted on May 23, 2005	29,514.55
26-02, amended by 20-04 and reappropriated by 28-07	Various improvements to 11 th Street Public Works property, finally adopted June 17, 2002, as amended on August 23, 2004 as reappropriated on September 24, 2007	444.13
6-06	ADA improvements to Pleasant Street, finally adopted on May 22, 2006	198,372.96
16-2007	Various sidewalk improvements, finally adopted June 25, 2007	<u>72,938.12</u>
	Total	<u>\$302,169.76</u>

Section 2. The \$302,169.76 proceeds described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 are hereby re-appropriated for the reconstruction of 4th Street, as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including all work and materials necessary and incidental thereto.

Section 3. The capital budget of the Town of Hammonton is hereby amended, if necessary, 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.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #009-2010 Flag Lot Ordinance

ORDINANCE # 009- 2010

AN ORDINANCE TO AMEND CHAPTER 175 OF THE GENERAL
ORDINANCE OF THE TOWN OF HAMMONTON

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

Section 1. Section 175-145 of the Town of Hammonton Land Development Ordinance is amended to read as follows:

L. Flag Lots.

(1) Definitions.

(a) Flag Lot - A lot not satisfying the conventional minimum lot frontage requirements of the zone district, generally configured in the shape of a flag, with its road frontage provided by a strip of land referred to as the "pole" or "flagstaff" portion of the lot.

(b) Flagstaff or Pole - The portion of a flag lot consisting of a strip of land with insufficient lot frontage which, when setback limitations are applied, contains no building envelope. The primary purpose of the flagstaff or pole is to provide road frontage and access for a flag lot

(c) Flag - The portion of the flag lot at the end of the pole.

(2) In a minor subdivision, one (1) lot may be permitted which fails to meet the minimum lot width requirements for a conventional residential development in the subject zone, provided that:

(a) That portion of the flag lot providing access to the rear of said lot must be no less than fifty (50) feet in width, no more than four hundred (400) feet in length extending uniformly from the lot frontage line to the rear lot line of the non-flag-type lot. This area shall be known as the "pole" of the flag. Notwithstanding the previous sentences, the total area of the pole shall not exceed twenty percent (20%) of the total lot area. If the access strip is more than four hundred (400) feet long or serves more than one (1) dwelling unit, access to the rear shall be only by a standard municipal street and a cul-de-sac dedicated as a public street. Any dedicated municipal street must meet Residential Site Improvement Standards ("RSIS"). No structures may be constructed in the pole area nor in the areas of the pole as extended to the rear of the lot, except for a mailbox and/or trash enclosure which shall not be located within the sight triangle. (The "pole" of the flag, must be part of the lot as set forth above and cannot be satisfied through the obtainment of an easement across any other lot).

(b) Only one (1) lot of insufficient width is permitted, and such lot shall have at least three times the minimum lot area, but in no case shall a flag lot be less than: i) one point six (1.6) acres in size when such lot has public sewerage available; and ii) three point two (3.2) acres in size when such lot has no public sewerage available.

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(c) The flag portion of the flag lot shall require one hundred (100) foot front and rear yard

setbacks and eighty (80) foot side yard setbacks for any dwelling, building and/or structure.

(d) All lots other than the flag lot shall have a minimum lot width of one hundred (100) feet.

(e) An Applicant requesting a flag lot subdivision may not own any contiguous lot or lots which would, if combined, provide sufficient lot frontage and lot width to create conforming, non-flag-type lots.

(f) Placement of a private driveway within the pole shall provide for a minimum ten (10) foot open space grass or landscaped area between the adjacent property line and the edge of the private driveway. A private driveway within the pole shall be no less than twenty (20) feet wide and shall be no less than twenty-four (24) feet, measured along the curb line, from any adjacent driveway.

(g) The flag lot must contain a turn-around area so that an exiting vehicle can exit in a forward direction.

(h) All flag lots shall meet all applicable standards as established by the Town of Hammonton Fire Chief to ensure safe access to the property by emergency vehicles.

(3) Drawings attached for illustrative purposes only

(a) Two (2) lot Flag Lot Minor Subdivision

(Drawing attached to be added in this space)

(b) Three (3) lot Flag Lot Minor Subdivision

(Drawing attached to be added in this space)

Section 2. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

Section 3. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that Judgment shall not effect, impair or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

Section 4. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

Councilperson Gribbin advised that flag lots have been a point of contention for many years at the Planning Board and he thanked Planning Board Solicitor Michael Malinsky and the Hammonton Planning Board Members for their hard work in resolving this matter.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #010-2010 Amend Chapter 247 Curb & Sidewalk

ORDINANCE # 010- 2010

AN ORDINANCE TO AMEND ARTICLE IV, CHAPTER 247 OF THE
GENERAL ORDINANCE OF THE TOWN OF HAMMONTON

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

Section 1. Article IV, Section 247-28 of the Town of Hammonton Land Development Ordinance is **Deleted**.

Section 2. Article IV, Section 247-29 of the Town of Hammonton Land Development Ordinance is **Deleted**.

Section 3. Article IV, Section 247-30 of the Town of Hammonton Land Development Ordinance is re-numbered Section 247-28.

Section 4. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

Section 5. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that Judgment shall not effect, impair or invalidate the remainder of this Ordinance, but shall be limited in its effect to the specific section, sentence or other part of this Ordinance directly involved in the controversy in which the judgment shall have been rendered.

Section 6. This Ordinance shall take effect immediately upon final adoption and publication as required by law.

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

Mayor DiDonato advised that this ordinance will make curb and sidewalk mandatory in certain areas of Hammonton.

ROLL CALL

Councilpersons:

Barberio - Yes
Bertino - Yes
Gribbin - Yes
Lewis - Yes
Pullia - Yes
Rodio - Yes
Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

Ordinance #011-2010 Authorize Fire Company to Require Removal of Damaged Utility Poles
Introduced by title only

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

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

Ordinance #012-2010 Amend Fire Company Billing Ordinance to Allow JIF to subrogate
Introduced by title only

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 - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Recused

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R050-2010 Award Bid Bean Field

#R 050-2010

WHEREAS, there has been advertised for bid the rental of Municipally owned land, known as Block 5702, Lot 14 for farm use as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, the bid opening was held at Town Hall on 5/4/10 as advertised; and

WHEREAS, Joe Donio Farms is the only bidder who submitted a conforming bid to meet the Town's requirements at \$2,100.00 per year rental fee for four years;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the bid for the rental of Municipal Property Block 5702, Lot 14 is awarded to Joe Donio Farms.

#R051-2010 Authorize Feast of St. John Religious Procession and Road Closure

RESOLUTION # 51-2010

RESOLUTION AUTHORIZING AND ENDORSING
THE "ST. JOHN FEAST & PROCESSION"

WHEREAS, St. John the Baptist Society continues to promote the Town of Hammonton with their annual "Feast of St. John" procession; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. John the Baptist Society; and

WHEREAS, **June 24, 2010 at 7:00** p.m. is the scheduled date for the Feast of St. John religious procession to be held in the Town of Hammonton; and

WHEREAS, St. John the Baptist Society 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 procession:

From St. Joseph Church (N. 3rd St.) to Pratt St.
Right onto Pratt to Tilton St./Mt. Carmel Lane
Right onto Tilton St./Mt. Carmel Lane to French St.
Return to Church (N. 3rd St.)

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 **Feast of St. John** and procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. John the Baptist Society as required by the Town of Hammonton.
2. Filing of required State and/or County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

#R052-2010 Tax Resolution

#R 52-2010

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
1803-11.02	ALLEN	3 ANNE DR	1600.09	TAX	REFUND OVERPAYMENT	ROSIE
1902-4	CAPOFERRI	447 N CHEW	400.00	SEWER	HOUSE BURNED DOWN	ROSIE
1902-4	CAPOFERRI	447 N CHEW	69.00	WATER	HOUSE BURNED DOWN	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.

#R053-2010 Introduce 2010 Municipal Budget

#R053-2010
 RESOLUTION TO INTRODUCE THE 2010 MUNICIPAL BUDGET

BE IT RESOLVED that the following statement of revenues and appropriations shall constitute the Local municipal Budget for the year 2010;

BE IT FURTHER RESOLVED, that the said budget be published in the Hammonton Gazette, edition of June 9, 2010 as follows:

A hearing on the budget and tax resolution will be held at the Town Hall on the 28th day of June, 2010 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 2010 may be presented by taxpayers or other interested persons.

Summary of General Section of Budget

Current Fund

Municipal Purposes within "CAPS"	\$9,287,432.09
Municipal Purposes excluded from "CAPS"	1,981,154.70
Reserve for uncollected taxes	<u>860,257.46</u>
Total General Appropriations	12,128,844.25
Less: Anticipated Revenues	<u>5,624,796.50</u>
Amount to be raised by taxation	\$6,504,047.75

#R054-2010 Self Examination of Budget

#R054-2010
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 2010 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.

#R055-2010 Temporary Emergency Budget Appropriations

RESOLUTION # 055-2010
Resolution of the Mayor and Common Council of the Town of Hammonton,
County of Atlantic, State of New Jersey, making temporary emergency appropriations
for the Current Fund, Water, and Sewer Utilities

Whereas, N.J.S.A. 40A:4-20 provides that temporary emergency appropriations may be made for the period between the beginning of the fiscal year and the date of adoption of the budget for said year; and

Whereas, the date of this resolution is not within the first thirty days of January; and

Now, Therefore Be It Resolved by the Mayor and Common Council of the Town of Hammonton, New Jersey, that the following temporary emergency appropriations are hereby made:

Admin & Executive:	
Other Expenses	\$1,000.00
Elections:	
Other Expenses	\$1,312.50
Financial Administration:	
Other Expenses	\$4,000.00
Assessment of Taxes:	
Salaries and Wages	\$17,000.00
Other Expenses	\$1,000.00
Collection of Taxes:	
Salaries and Wages	\$6,000.00
Other Expenses	\$1,000.00
Engineering Services:	
Other Expenses	\$3,000.00
Audit	
Other Expense	\$3,087.50
Public Buildings and Gro	
Other Expenses	\$8,000.00
Natural Gas OE:	\$10,000.00

Electricity OE:	\$20,000.00
Telephone OE:	\$10,000.00
Gasoline OE:	\$20,000.00
Computer:	
Other Expenses	\$5,000.00
State Fire Prevention Code:	
Other Expenses	\$1,000.00
Police:	
Salaries and Wages	\$100,000.00
Other Expenses	\$20,000.00
Police Radio & Communications:	
Other Expenses	\$1,000.00
Municipal Court:	
Other Expenses	\$2,000.00
Highway:	
Salaries and Wages	\$30,000.00
Other Expenses	\$20,000.00
Street Lighting:	
Other Expenses	\$30,000.00
Dog Regulation:	
Other Expenses	\$1,000.00
Registrar of Vital Statistics:	
Other Expenses	\$400.00
Recreation:	
Salaries and Wages	\$10,000.00
Other Expenses	\$5,000.00
Municipal Airport:	
Other Expenses	\$1,000.00
Water:	
Water- NJ Disability	\$700.00
Sewer:	
Sewer- NJ Disability	\$800.00

#R056-2010 Authorize Utility Service – Walden Investors

RESOLUTION #056-2010
 RESOLUTION GRANTING PRELIMINARY APPROVAL
 TO WALDEN INVESTORS, PC
 FOR EXTENSION OF SANITARY SEWER AND PUBLIC WATER TO SERVICE THE PROPOSED FOURTEEN
 UNIT TOWNHOUSE PROJECT

WHEREAS, Walden Investors, P.C. from Berlin, NJ, has made application to the Town of Hammonton for onsite sanitary sewer and public water main extensions for a project located within Lot 3 & 4 in Block 3707, as noted on the Tax Map of the Town of Hammonton; and

WHEREAS, the proposed project consists of the construction of approximately 625± linear feet of 8" PVC, sanitary sewer main, along with 640+/- linear feet of 8" cement lined ductile iron water main within the proposed roadway noted as Judy's Court in order to service the proposed 14 unit townhouse complex, and

WHEREAS, the Town of Hammonton Planning Board has granted preliminary and final major subdivision approval for the proposed 14 unit townhouse project subject to compliance with a number of conditions noted at their meetings held on August 19, 2009 (preliminary approval) and November 18, 2009 (final approval); and

WHEREAS, the applicant is desirous to obtain the necessary approvals from other outside reviewing agencies as noted in the Planning Board's conditions of approval; and

WHEREAS, the design consultant for Walden Investor's, P.C. has made application to the Town of Hammonton to seek an endorsement from the Mayor and Town Council for the proposed onsite sanitary sewer extension and public water improvements required by the proposed 14 unit townhouse project as noted on the design plans, specifications, reports and applicable Town and NJDEP forms; and

WHEREAS, the extension of public sanitary sewer within Judy's Court will require submission and approval from the NJDEP due to the proposed connection of more than one dwelling unit; and

WHEREAS, since the extension of public water to the project site will be less than 15 dwelling units and less than 1,500 linear feet of water main, no NJDEP Bureau of Safe Drinking Water approval is required; and

WHEREAS, the design information, plans and related documents have been reviewed by the Town Engineer, along with the Sewer and Water Superintendent's and Town's Public Works and Transportation Committee (PWTC); and

WHEREAS, the PWTC recommends preliminary approval of the design plans to allow for the extension of public sanitary sewer and water to service the project site subject to compliance with the items noted in the Engineer's Report dated April 27, 2010; and

WHEREAS, the proposed onsite sanitary sewer and water extension for the project remains consistent with the Town's Utility Master Plan; and

WHEREAS, the applicant is desirous to continue with the review and approval process of other outside agencies;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton of the County of Atlantic, State of New Jersey that the Mayor is hereby authorized to execute the local and NJDEP forms where applicable, reports and plans that are associated with the extension of onsite sanitary sewer and public water extension to allow for the construction of proposed 14 unit townhouse complex; and

That once all conditions of approval are satisfied and all permits and approvals are obtained from the other outside agencies that the applicant will return to the Mayor and Town Council of the Town of Hammonton to request the appropriate signature on the approved construction plans for the proposed onsite sanitary sewer and public water extension improvements; and that payment of all applicable connection, inspection, escrow fees, bonds, certificates of insurance, etc. be posted with the Town prior to the start of any onsite sanitary sewer or public water installation.

Motion by Councilperson Gribbin, seconded by Councilperson Bertino, resolutions 50-56 be adopted.

ROLL CALL

Councilpersons:

Barberio - Yes

Bertino - Yes

Gribbin - Yes

Lewis - Yes

Pullia - Yes

Rodio - Yes

Mayor DiDonato – Yes

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Chief Frank Ingemi

Chief Ingemi congratulated Mayor and Council on introduction of ordinance for curb and sidewalk. He then questioned if the town budget can be amended prior to adoption?

Mayor DiDonato replied yes.

Chief Ingemi continued that he is here this evening to plea, once again, to Mayor and Council to not lay off members of police department. He feels lay offs will create an unsafe environment for the public and the other police officers who will not have the necessary police backup. He read into the record a number of services currently provided by the Hammonton Police Department that will no longer take place such as funeral escorts, police presence in schools, traffic control at special events, downtown door checks. He reminded council of the attorney general staffing recommendation previously made. He has already removed one detective from the bureau and placed him on patrol. He currently has 3 police officers out with injuries and one on light duty. He has lost 4 police officers this past year. Dispatch has been ordered to advise citizens that police officers will need additional time to respond. It is his understanding that they need \$120,000 to keep the officers from being laid off which amounts to \$30 per year on an assessed home of \$100,000.00. He also understands that senior citizens can apply to have their taxes frozen if they are in need of assistance. He asked Mayor and Council to amend their introduced budget to keep the 4 officers. He stated it's a great town that has seen many accomplishments but we have not seen a tax increase in 4 years now. He realizes this is a major decision for Mayor and Council. He also knows there is a promise out there not to raise taxes. When he thinks of a tax increase he thinks of something that will affect people deeply. However, he does not think the citizens would be deeply affected by a small tax increase in order to maintain the services they have grown accustomed to. He doesn't feel the officers in Hammonton have a lot to give back in negotiations compared to other police departments and he stated they cannot afford to lose police officers. He thanked Mayor and Council for their time.

Mayor DiDonato stated he agrees with the Chief concerning "no lay offs". Mayor and Council wanted a clause placed in the PBA contract to avoid the lay offs. He stated the way the pension contributions and health benefits continue to increase in the manner that they have been increasing, we will not be able to meet our budget. Mayor DiDonato stated approximately 23.77 percent of officers salary is paid by taxpayers toward each officers pension annually.

Chief Ingemi stated the town did not make pension payments for several years when times were good.

Mayor DiDonato stated he cannot use the 2010 and 2011 money received from school all in year 2010 or he will be short in 2011 again. He cannot promise the school protection until June 2011 if he uses all the funding given to the town for the officers in 2010. He also utilized \$600,000 in surplus which is the taxpayers savings so he feels he has asked the taxpayers to give as well. Mayor DiDonato stated Mayor and Council will sit down and talk to the PBA members anytime. Their destiny is in their hands.

Charles Perna – S. Washington Street

Mr. Perna questioned if there is a separate line item in school budget for officers to work out of and is it enough to cover the police officers salaries?

Councilperson Bertino responded, no the line item in the school budget does not cover the police officers entire salaries.

Mr. Perna questioned court revenue and questioned will laying off these four officers affect the court revenue?

Mayor DiDonato stated he believes it will.

Councilman Bertino stated only a small portion of the court revenues comes back to town and the remainder goes to the State.

Mr. Perna questioned why the town being on a calendar budget and the school being on a fiscal budget became a problem this year?

Mayor DiDonato stated it became a problem this year because of contract negotiations. Mayor stated he has been counting pennies to try to avoid lay offs as well. But he just can't find the money.

Mr. Perna questioned why can't the school put more money toward police officers budget?

Mayor DiDonato stated the school board budget is also very tight and the board is contemplating bringing in retired police officers at a lower salary. Dollars are tight in all forms of government right now.

Mr. Perna questioned if Mayor and Council believe the town will adequately be protected during a major incident such as what happened last week with 4 officers less?

Mayor DiDonato stated he cannot predict the future but again there is an offer out there for the PBA for years 2010-13. The Town's surplus is approximately \$3,800,000.00 that he plans to take approximately \$600,000 from. Surplus including water and sewer utilities is approximately \$7,900,000.00.

Mr. Perna questioned the purpose of a surplus?

Mayor DiDonato stated the surplus is a rainy day fund.

Councilman Pullia stated the CFO and State of New Jersey will not sign off on taking more than what has been taken from surplus for this budget.

Mayor explained in full for the public, the 4 year offer by Mayor and Council to the PBA members which was rejected by the members vote:

2010 -0- increase
2011 -0- increase
2012 – 2.5% increase
2013 – 2.5% increase
Cut over time in half to \$30,000 1st and 2nd year
Year 3 and 4 overtime goes back to original allotment
Add clause to contract "no lay offs during 4 year contract"
Or pay 6 months health benefits to officers being laid off

Mr. Perna closed by reading a letter asking Mayor and Council to find the money to keep the officers working. He also asked Mayor and Council to give up their entire salaries even though they recently took a 25% cut. He feels Mayor and Council should not make a promise of no tax increase without the knowledge of the budget.

Barbera Holter – Business Owner in Hammonton

Ms. Holter stated she opened a business in Hammonton and the grand opening of the Hammonton Childcare Center will be June 28. She invited Mayor and Council to attend.

Mayor and Council welcomed Ms. Holter to the community.

Myron Plotkin – Labor Representative for PBA

Mr. Plotkin stated the negotiations have not been easy and everybody in the county is in the same predicament that we are here in Hammonton. The problems stem from the policies in Trenton and he hopes that council is doing everything they can to help make changes with State policy that adversely affects local government. He realizes the problem does not lie with the PBA members nor Mayor and Council.

Mr. Plotkin stated for the record only, that the officers offered a 1 year wage freeze and are agreeing to pay 1.5% of their salaries towards their health insurance. They have already been paying 5% of their dependent coverage toward their health insurance. They put on the table a one year wage freeze the same as the Governor did and that was reject by the negotiation committee representing Mayor and Council. The reason it was rejected is because the negotiation committee wanted a 2 year wage freeze. Mr. Plotkin then stated the PBA would go with a 2 year wage freeze but wanted their increase for the 3rd year to begin on 12/31/11. With a 2 year wage freeze and the officers paying 1.5% of their salaries toward health benefits they are looking at a pay decrease. Mr. Plotkin stated he is not here to negotiate with council tonight but he wants the public to know the PBA side of the story. Mr. Plotkin stated he will not negotiate at open public meetings as requested by Mayor and Council as that is an unfair labor practice.

Councilman Gribbin responded that public negotiations are permitted with the mutual consent of the parties.

Gibase – Local Business Owner-Hammonton

Mr. Gibase stated he is a businessman in town who experienced a robbery last year. He questioned during the summer farming season will Chief Ingemi have enough police officers to cover?

Chief Ingemi stated that is not a fair question but he advised that he had 2 near fatal stabbings at the same time during the farming season last year. Chief Ingemi stated there have already been times when he did not have enough men. He stated he needs the men who are being laid off.

Mr. Gibase stated several years ago his brother in law was Mayor and did not raise taxes for several years and then all at once the taxes increased. He's afraid that by this Mayor and Council not raising taxes a little bit now, it is going to hurt the taxpayers in the long run. He is willing to pay a small tax increase now rather than a big tax increase later. He feels that the taxpayers are not saving the 2 cents that Mayor and Council are not raising their taxes but are spending it on new cars, dinner etc. He mentioned the 4th and Fairview traffic jam that will occur if a cop is cut from this intersection for school traffic control. He's seen cops almost get run over at this intersection and has had several accidents land on his corner property. He asked council to give the cops the 6 months they are asking for and then if they don't negotiate with council the following year, then Council will have to lay them off.

Mark Santora – Old Forks Road

Mr. Santora stated the police do a good job and he hopes Mayor and Council can find a way to keep them employed. He then asked why the engineers are not here this evening to discuss Pulte as promised by the Solicitor last meeting?

Brian Howell, Town Solicitor, stated that he had advised everyone last meeting that the engineers were going to meet concerning Pulte but they were not going to appear at this council meeting. Solicitor advised there is a plan to resolve the matter being negotiated but he cannot speak concerning same this evening.

After a discussion on timeline and remediation plans Mr. Santora stated he feels that his mother is being victimized by having to live across the street from the drainage basin at Pulte.

Mayor DiDonato stated he understands Mr. Santora's frustration and agrees he would not want this basin near his house, however, he needs more time to try to resolve this problem.

Mr. Santora questioned the proposed ordinance mandate on curb and sidewalk and questioned is that for new construction or existing homes?

Mayor DiDonato stated the proposed ordinance is for new building only.

Solicitor advised that's not to say that another ordinance may be proposed in the future that would require an added assessment of curb and sidewalk installation to existing properties.

Daniel Santora – Old Forks Road

Mr. Santora reminded council of the mosquito issue and west nile virus as it pertains to the Pulte basin.

Councilman Barberio stated there is a county program that controls mosquitoes.

David Hearn

Mr. Hearn brought to Mayor and Council's attention a possible drainage basin problem in the Basin Road area where he resides and was concerned that the proposed Atlanticare development would further hinder this problem.

A discussion was held with Mr. Bob Vettese of ARH Town Engineers advising that the engineers for the proposed plan for Atlanticare development have presented the plan with the drainage basin capable of holding the storm drainage.

PBA Negotiations

Mayor DiDonato questioned Mr. Plotkin if he would like to continue in closed session with negotiations this evening?

Mr. Plotkin stated he could not stay this evening but he would contact Mr. Barse, Town Labor Attorney, to schedule another date for negotiation for PBA.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Municipal Clerk

Minutes approved by Susanne Oddo, Town Clerk/Administrator