

REGULAR MEETING OF COUNCIL  
Held in Town Hall Council Chambers  
100 Central Avenue, Hammonton, N.J.  
November 23, 2009 at 7:00 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 - P  
Lewis - P  
Petrongolo - P  
Rodio - P  
Wuillermin - P

PRESENT ALSO

Brian Howell, Town Solicitor  
Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

PUBLIC NOTICE

Notice of this meeting has been posted on Town Hall bulletin board, mailed and e mailed to official newspapers. Please familiarize yourselves with the fire exit to the right and rear of the Council Chambers. Members of the public are reminded that they are not to proceed beyond the front row of the benches without specific invitation from the Mayor to do so.

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Motion by Councilperson Lewis, seconded by Councilperson Bertino, the minutes of the Regular Meeting – October 26, 2009 and the Special Meeting - November 18, 2009 are approved. Motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Resolution Honoring Officer Joseph Mazzeo and Mayor Presentation

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, the resolution honoring Officer Joseph Mazzeo and naming December 1, 2009 "Officer Joseph Mazzeo Day" be adopted.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Mayor DiDonato then presented the resolution and plaque to Officer Joseph Mazzeo thanking him for his dedication to the Town of Hammonton.

Officer Mazzeo thanked Mayor and Council for the honor.

Hearing Bond Ordinance 26-2009 Bellevue Avenue Sidewalk Improvements

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

No one desired to be heard.

Motion by Councilperson Wuillermin, seconded by Councilperson 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 - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Bond Ordinance 27-2009 Bellevue Avenue Water Utility Improvements

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

No one desired to be heard.

Motion by Councilperson Wuillermin, 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 - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Hearing Bond Ordinance 28-2009 Bellevue Ave Sewer Imp/Boyer Ave Optimization Study

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

Rock Colasurdo – Boyer Avenue

Mr. Colasurdo questioned when Boyer Avenue will be repaved?

Mr. Bob Vettese, of ARH Town Engineer, advised Boyer Avenue will be repaved soon, however, Ordinance 28 deals with Boyer Avenue Optimization Study only.

Motion by Councilperson Wuillermin, seconded by Councilperson Lewis, 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 - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio

Reported on Administration Committee meeting

BUSINESS & INDUSTRY-Councilperson Petrongolo

Encouraged citizens shop locally this holiday season in support of our downtown vendors

EDUCATION-Councilperson Bertino

Report on Board of Education Meeting

Congratulated students honored for their performance

Report on Steve DiDonato resignation from Board of Education and advised board is taking applications for the position

Report on Warren Sooy School Improvements

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Referred action items to Engineer report

Updated everyone on leaf pickup status

Bulky pickup will resume December 7-11, brush will resume on the December 14-18

Reminded everyone to place bulky and brush out during their designated weeks to keep Hammonton clean

LAW & ORDER-Mayor DiDonato

Report on Law & Order Committee meeting

QUALITY OF LIFE – Councilperson Lewis

Request Solicitor to schedule meeting for proposed combination of Env. Comm & Shade Tree Comm

WATER & SEWER – Councilperson Wuillermin

Advised that summarizations of committee meetings are prepared by Engineer and placed on line for public to view

Report on status of Boyer Avenue Optimization Study

Dr. Hozik invited current & incoming Mayor's and Council members to Dec 12, 2 pm Form Based Code Study

ENGINEER REPORT

SEWER AND WATER ACTION ITEMS

1. **Boyer Avenue Land Application Site – Drip Irrigation/Beneficial Reuse (ARH #11-50127):**

Optimization Report ~

As previously reported, the Optimization Report was submitted to all applicable agencies on October 7, 2009. We have contacted Pinelands to determine whether they have any comments on this report and they have responded that they have not had the opportunity to review this document due to more pressing items. A proposal for the next step is to entertain additional services from the consultant Omni Environmental associated with the implementation phase of the Optimizing report. Omni Environmental's proposal is attached hereto and has a value of \$29,000.00.

Lee Rain – Trial Application ~

Lee Rain completed the installation of the drip lines for the trial areas. The pumps still need to be installed, pushing back the commencement of the trial to mid December. As previously mentioned, the affect of the trial will not be known for at least two months. As all are aware, the drip irrigation application on the forested area as well as the recreation fields is one of the elements of the optimization strategy.

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, authorize the proposal to Omni Environmental in the amount of \$29,000.00 pending certification and availability of funds.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

**PUBLIC WORKS ACTION ITEMS**

2. **Community Development Funds, 2006 ADA Curb/Walk Replacement (ARH #11-40026):**

The Contractor has completed the construction of the ADA curb, sidewalk drainage and roadway improvements at the 3<sup>rd</sup> Street/Walmer Street intersection. The final payment to the contractor is on the bill list for payment consideration. We have also included a request for consideration of a final Change Order for the project based on as-built quantities. The final project Change Order represents an increase of \$534.75 or 0.67%. Once the final payment is made, we will need copies of the cancelled checks associated with the project along with other documents to request reimbursement of the eligible portion of the project cost from the ACIA.

Motion by Councilperson Rodio, seconded by Councilperson Wuillermin, approve of the final project Change Order of \$534.75 increase from the original contract amount of \$79,550.00 to \$80,084.75, based on as-built quantities.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y  
Wuillermin - Y  
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Motion by Councilperson Wuillermin, seconded by Councilperson Rodio, approve final payment invoice of \$25,763.75, but withholding the issuance of the check to the Contractor until the Maintenance Bond for the project is approved.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Approve Lighting Plan – Commerce Way - New Jersey Manufacturers

Motion by Councilperson Wuillermin, seconded by Councilperson Bertino, approve lighting plan for Commerce Way for New Jersey Manufacturers project, lighting to be funded by NJM.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Approve Final Change Order Central Avenue Reconstruction

Motion by Councilperson Barberio, seconded by Councilperson Wuillermin, approve final change order Central Avenue Reconstruction Project \$64,752.37.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Add onto Engineer Item #15 Central Avenue Project Maintenance Bond

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, accept engineer recommendation of contractor posting a maintenance bond as project is complete.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

3. Route 54/Bellevue Avenue Utilities (ARH #11-50120):

*General:*

Bids were received on October 22, 2009. There is an apparent low bidder who is Paramount Enterprises at a cost of \$1,763,512.50. However, their bid is under review for compliance to the bidding submission requirements. The second lowest bidder is Command Company with a bid of \$1,930,686.25. The difference between the first bidder and second bidder is \$167,173.75. Currently, the Solicitor is reviewing the bid and will render a decision on who the Town should be the recipient of the award.

*Funding:*

A response to overcome the receipt of a denial of funding eligibility on Round 2 was submitted approximately three weeks ago. We are awaiting a response from USRD on this matter.

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

We have finalized the wording of the Interlocal Services Agreement between the Town and the County related to sharing a portion of the cost for drainage and repaving improvements along Moss Mill Road, County Route # 561. If approved by the Freeholders, the Town could be reimbursed for a portion of the improvements noted above for up to a dollar amount of \$13,300.00 for drainage improvements plus \$31,000.00 for repaving improvements or a total of \$44,300.00.

At the Town's request, the County Engineer has also approved a revised restoration pavement cross section where a cost savings of approximately \$20,000.00 could be realized. We would anticipate that all restoration improvements to both Boyer Avenue and Moss Mill Road will be completed by the early part of December. If this occurs the project could be closed out by the end of the year. We would anticipate the total project cost to be close to or slightly below the original contract amount based on as-built quantities.

5. Water Allocation (ARH #11-30088):

*Major Modification Application:*

A detailed report was files last meeting whereby the Council was apprised of the Pinelands concern with allowing the increase of the monthly and annual diversion to the Hammonton Water System. At the Pinelands request, the Town has allowed them additional time to review the information as opposed to simply obtaining a denial from them. They requested until February for the presentation of their findings where the Town has agreed to receiving the report by January. In the interim, NJDEP cannot issue the permit modification to increase diversion. However, the Pinelands has agreed that if there is any urgent

matter requiring an increase in diversion, they will discuss the matter with us prior to completion of their findings.

Future Well:

The PWTC has been briefed on the other possibilities for land acquisition and there is an additional opportunity that the Town will be exploring before determining its ultimate option.

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

As previously reported, this project has been designed and permitted. However, certain final decisions must be made by PWTC such as project scope, bid options, administrative issues affecting the residents and funding limits. The PWTC will be briefed on the financial implications at their Subcommittee meeting of Thursday, November 19, 2009. A report will be filed with Council if available, on the night of the meeting.

7. **Southwest Hammonton – Sanitary Sewer Service (ARH #11-50130.01):**

Design work for this project has been delayed for this month while we were concentrating on finalizing the Rt. #54 and Pine, Basin, Oak and White Horse Pike projects. Work will resume on this project once again after the first of the year. The Solicitor is finalizing the agreement between the applicant and the Town related to project cost sharing as discussed with the PWTC and Council earlier this year.

8. **Getty Gas Station Site Remediation (ARH #11-50128):**

The Environmental Consultant and Getty have begun the site remediation and monitoring process. The initial results have appeared favorable and the applicant has been allowed to increase their discharge rate as per the agreement. The consultants have also agreed to take some additional tests at the treatment plant as requested.

**PUBLIC WORKS INFORMATION ITEMS**

9. **Bella Vita Subdivision Improvements (ARH #11-20195):**

As authorized last meeting, the Solicitor is preparing an Agreement between the developer, the Homeowners Association and the Town that will allow the Town to provide municipal services such as snowplowing to the development being that all improvements have been completed.

10. **Pratt Street Drainage Pipe Repair (ARH #11-06002.01):**

The letters to the various property owners have been sent out and the responses that have been received to date related to the stream cleaning project and the need for easements have been favorable. We are continuing to contact the remaining property owners by phone to obtain their responses. We will keep Council and the NJDOT informed of further progress. We will also be drafting a typical Right-of-Entry Agreement which will need to be executed by the property owners in order to allow the NJDOT to access the various properties for stream cleaning purposes.

11. **First Road Resurfacing, County Route # 688 (ARH #11-01000):**

As noted at the prior Council meeting, the County Engineer indicated that they applied for funding assistance to resurface First Road, County Route #688, possibly extending from Twelfth Street, Route #54 to Weymouth Road, County Route #640. The County has recently directed a letter to the Town informing the Mayor and Council of their possible roadway resurfacing project and time frame for same. If the resurfacing project moves forward, it would be important for the Town to install whatever water and sanitary sewer extensions and/or replacements as quickly as possible. Once this roadway is resurfaced, there will be a five (5) year moratorium for any street opening permits and it would be a great deal more expensive to complete the required roadway restoration at a later time. The PWTC should discuss this matter in further detail now, provide budgetary appropriations and seek possible funding assistance as necessary. We will be directed by the PWTC and Council's recommendation.

12. **Recreation Master Plan, ANJEC Report (ARH #11-01000):**  
As noted at last months Council meeting, a presentation of the recreation master plan was made to the Town Planning Board at their meeting of October 7, 2009, where a Resolution of Endorsement was adopted. This Resolution and plan was forwarded to the Pinelands Commission for review. The notice for the public hearing of the Recreation Master Plan was also forwarded to the County and neighboring municipalities as required. A request for funding reimbursement will be requested from the State ANJEC office in accordance with the funding agreement.
13. **Boyer Avenue Recreation - Phase III (ARH #11-75003):**  
We forwarded the supportive resolution to the NJDEP previously adopted by Council along with the design plans, specifications, reports and forms as required. We recently received a letter from the NJDEP deeming the application as complete and their formal review process could begin. We will keep Council and the PWTC informed of further progress.
14. **Fourth Street Reconstruction (ARH #11-40034):**  
*NJDEP BSDW Permit:* As previously reported we have made a submission to NJDEP seeking approval for the installation of a 12" DIP water main. The reviewing agent has requested additional information related to the intersection of Fourth Street and Pleasant Street and the various utility crossings. It is our intent to have these revisions made and resubmitted to NJDEP early next week.  
  
*Funding:* It should be noted the NJDOT has announced funding allotments for FY2010. The Town will be getting an additional \$180,000 this year. In total 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. Funding for the project must be established in the 2010 municipal budget.
15. **Central Avenue Roadway Reconstruction Project (ARH #11-40027):**  
The Contractor is substantially complete the project improvements and the punch list items. We are currently working with the Contractor to close out the Contract. We would hope to have all documents ready for closeout by the end of this year.
16. **Hammonton Lake Park (ARH #11-90028):**  
*Phase I – Construction:*  
As previously reported the contractor has achieved substantial completion. Once the contractor is complete and the contract is closed we will work to requisition funds from Atlantic County. It should be noted the contract quantities and costs for field changes have been tabulated. The Contract has gone over the original contract price. We have presented change orders to applicable committee members for review and consideration. We will provide a report to Council once all items have been addressed. We would hope to close-out this project by the end of this year.  
  
*Phase II – Planning & Design:*  
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, as originally approved. 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.
17. **ACIA 2009 Funding Request (ARH #11-40038):**  
After being denied from the ACIA related to the Town's request for funding assistance for improvements at the Senior Center Complex at the Lake Park, the Town has also received notice 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 remaining which could also be applied to a new eligible project. We will discuss the possibility of submitting a proposal for funding consideration with the PWTC. This will include

work completed to date on the prior application requested to be submitted by the Mayor and Town Council for the Lake Park Senior Center. We will provide the proposal once the PWTC selects a project for funding. We will be directed by the PWTC and Council's recommendation.

**18. Atlantic County Open Space Trust Funds – Round 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 #8 funding, along with prior funding rounds 6 & 7. There are a number of tasks that must be completed before the 11/20/09 deadline date in order to complete closure on the properties. As authorized by Council, the Solicitor has sent out a letter to various property owners requesting a response related to their interest in selling their property to the Town. The Solicitor has met with a number of the property owners related to their interest in participating in this program. The Solicitor will provide an update to Council on this matter. A meeting with Council and the Recreation Committee will also need to occur so that an appropriate response can be directed to the County as required. This must be completed as soon as possible, so as to not jeopardize the loss of the funds set aside by the County for this purpose.

Councilman Barberio requested and update on Atlantic County Open Space Trust Fund Round 8 application.

Solicitor responded to same.

**SOLICITOR REPORT**

Route 54 Bid Award

Pulte

Councilman Wuillermin publicly thanked Brian Howell, Town Solicitor, for his performance in getting the Pulte paving matter rectified.

**Solicitor report continued**

Form Based Codes Meeting 12/12/09 ,2-5 pm

Landlord Registration Ordinance modification

Alarm Ordinance modification

COAH: special meeting

Stockton project and funding application update

Councilperson Bertino stated he would like to know the scope of the project and property acquisition prior to authorizing the Solicitor to move forward.

Solicitor advised he is currently in negotiations and cannot discuss the matter in detail.

Mayor suggested that Councilman Bertino, as head of Education Committee, work with Solicitor on the Stockton Project.

Councilperson Bertino agreed.

**MAYOR REPORT**

Report on upgrade to LED lighting approval in Hammonton and thanked Green Committee for the accomplishment Congratulated Hammonton Resident and Former Councilman Vincent Maione named President of Atlantic Electric Mayor wished everyone a Happy Thanksgiving

**APPROVAL BILLS & PURCHASE ORDERS**

Motion by Councilperson Rodio, seconded by Councilperson Lewis, the bill list and purchase orders be approved.

ROLL CALL

Councilpersons:

Barberio – Y (recused on Triad bills only)

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance 29-2009 Amend Chapter 216-10 Rental Ordinance

ORDINANCE # 29 –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 Chapter 216-10 Rental Property Periodic Inspections to authorize the local inspection official to accept State inspection approvals in lieu of performing local inspections in certain cases as follows:

216-10 E. The owner of any property which is subject to an inspection every five (5) years by the State of New Jersey, Department of Community Affairs, Division of Codes and Standards, Bureau of Housing Inspections shall be permitted to provide the local inspection officer with a copy of a satisfactory report from that agency in lieu of being required to participate in the local inspection program in the year in which the state inspection occurred. For each year thereafter, the property shall be subject to local inspection hereunder (with the exception of any future year wherein a state inspection occurs consistent with the provisions of this section.

**SECTION 2 - 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 3 - 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.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

**Ordinance 30-2009 Amend Chapter 74 False Alarms**

Ordinance #030-2009  
Amending Chapter 74 of the Code of the Town of Hammonton

**§74-1 Purpose.**

An ever increasing number of homeowners and business owners are installing alarm systems in an effort to prevent crime. The installation of these systems should certainly be encouraged, because they tend to make the community safe. A result, however, of having so many properties with alarm systems is that the local Police Department is called upon to respond to false alarms. It is the purpose of this article to curtail the number of false alarms received by the Police Department.

**§74-2 Designation of false alarm.**

If the Police Department receives a call which requires an officer to be dispatched to a residence or dispatched to a business or dispatched to any location in the Town of Hammonton and, upon arrival, it can be determined that no property or person was in threat or harm or injury and the call or alarm to the Police Department was made by mistake, neglect or with the purpose to annoy and there is no justifiable reason to initiate the dispatch, the alarm shall be considered false.

**§74-3 Constitution of violation.**

An individual shall be considered to have violated this article if he or she initiated the false alarm or negligently allowed the false alarm to be made. It shall be presumed that the owner of any property that has an alarm system is the person who initiates or allows the alarm to be made. The presumption may be rebutted.

**§74-4 Violations and penalties.**

**[Amended 4-28-2008 by Ord. No. 12-2008]**

Anyone who is convicted of violating this article in the Hammonton Municipal Court is subject to the following penalties:

- A. First offense: a warning with no fine or Court appearance required.
- B. Second and subsequent offenses: a fine of \$50 and no Court appearance required.

**§74-5 Terms defined.**

**[Amended 4-28-2008 by Ord. No. 12-2008; 11-24-2008 by Ord. No. 36-2008]**

A "second or subsequent offense" shall be defined as any false alarm which occurs within a twelve-month period from January 1 through December 31 annually.

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

Councilman Bertino questioned was this amendment reviewed by Law and Order Committee?

Solicitor responded yes as well as Lt. Fiorentino and Prosecutor Shirley Grasso.

**ROLL CALL**  
Councilpersons:

- Barberio - Y
- Bertino - Y
- Lewis - Y
- Petrongolo - Y
- Rodio - Y
- Wuillermin - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**Ordinance 31-2009 Bond Ordinance Supplementing 4<sup>th</sup> Street Reconstruction**

Ordinance #31-2009  
(Supplementing Bond Ordinance #11-2009)

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$180,000 FOR THE FOURTH STREET RECONSTRUCTION IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

BE IT ORDAINED BY THE TOWN COMMITTEE 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 improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Town of Hammonton, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$180,000, such sum being in addition to the \$305,000 appropriated therefor by section 3(b) of bond ordinance #11-2009 of the Town finally adopted ordinance comprised of an additional grant in the amount of \$180,000 from the New Jersey State Department of Transportation.

Section 2. (a) The improvement heretofore authorized is for Fourth Street reconstruction, as shown on and in accordance with the plans and specifications on file in the office of the Clerk and as otherwise described in section 3(a) of bond ordinance #11-2009 of the Town finally adopted ordinance.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$0, including the \$0 bonds or notes authorized by bond ordinance #11-2009 of the Town finally adopted ordinance, and the \$0 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$485,000, including the \$305,000 appropriated by bond ordinance #11-2009 of the Town finally adopted ordinance, and the \$180,000 appropriated herein.

(d) The estimated amount of the grant is \$485,000, including the \$305,000 authorized by bond ordinance #11-2009 of the Town finally adopted ordinance, and the \$180,000 authorized herein.

Section 3. The capital budget of the Town of Hammonton is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) An additional \$36,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 are appropriated herein for this purpose.

Section 5. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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 6. 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. 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 7. 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 8. 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 Wuillermin, seconded by Councilperson Bertino, the ordinance be taken up for first reading, pass first reading and given legal publication.

**ROLL CALL**

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

**Ordinance 32-2009 Supplementing Airport Runway & Apron Renovations**

Ordinance #32-2009

(Supplementing Bond Ordinance #3-2008)

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$78,309.82 FOR RENOVATIONS TO RUNWAY NO. 3's APRON IN THE HAMMONTON MUNICIPAL AIRPORT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,700 BONDS OR NOTES OF THE TOWN FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED BY THE TOWN COMMITTEE 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 improvement described in Section 3 of this bond ordinance has heretofore been authorized to be undertaken by the Town of Hammonton, New Jersey as a general improvement. For the improvement or purpose described in Section 3, there is hereby appropriated the supplemental amount of \$78,309.82, such sum being in addition to the \$450,000 appropriated therefor by section 3(c) of bond ordinance #3-2008 of the Town finally adopted February 25, 2008, including an additional grant in the amount of \$74,394.33 from the New Jersey State Department of Transportation, Division of Aeronautics and including the sum of \$215.49 as the additional down payment required by the Local Bond Law. The additional down payment is now available in the Capital Improvement Fund.

Section 2. In order to finance the additional cost of the improvement or purpose not covered by application of the additional down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$3,700 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. (a) The improvement heretofore authorized and the purpose for the financing of which the bonds are to be issued is for renovations to runway no. 3's apron in the Hammonton Municipal Airport, as shown on and in accordance with the plans and specifications on file in the office of the Clerk and as otherwise described in section 3(a) of bond ordinance #3-2008 of the Town finally adopted February 25, 2008.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$25,075, including the \$21,375 bonds or notes authorized by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, and the \$3,700 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$528,309.82, including the \$450,000 appropriated by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, and the \$78,309.82 appropriated herein.

(d) The estimated amount of the grant is \$501,894.33, including the \$427,500 authorized by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, and the \$74,394.33 authorized herein.

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

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, 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 \$3,700, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20, including the \$90,000 appropriated under Bond Ordinance #3-2008, finally adopted February 25, 2008 and \$35,000 appropriated herein for this purpose.

Section 7. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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 8. 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. 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 9. 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 10. 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 Rodio, seconded by Councilperson Wuillermin, the ordinance be taken up for first reading, pass first reading and given legal publication.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Lewis - Y

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R129-2009 JIF Required Resolution Advising Employees that they have Civil Rights

#R129-2009

A RESOLUTION TO AFFIRM THE TOWN OF HAMMONTON'S  
CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES,  
PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT  
CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO  
CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

**WHEREAS**, it is the policy of Town of Hammonton to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of Town of Hammonton has determined that certain procedures need to be established to accomplish this policy

**NOW, THEREFORE BE IT ADOPTED** by the Town of Hammonton that:

**Section 1:** No official, employee, appointee or volunteer of the Town of Hammonton by whatever title known, or any entity that is in any way a part of the Town of Hammonton shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Town of Hammonton's business or using the facilities or property of the Town of Hammonton.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Town of Hammonton to provide services that otherwise could be performed by the Town of Hammonton.

**Section 3:** Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

**Section 4:** The Town Clerk/Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5:** No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6:** The Town Clerk/Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Town of Hammonton as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

**Section 7:** The Town Clerk/Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Town Clerk/Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Town of Hammonton. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Town of Hammonton's web site.

**Section 9:** This resolution shall take effect immediately.

**Section 10:** A copy of this resolution shall be published in the official newspaper of the Town of Hammonton in order for the public to be made aware of this policy and the Town of Hammonton's commitment to the implementation and enforcement of this policy.

#R130-2009 Authorize Sale of Town Surplus Property

#R 130 -2009

RESOLUTION AUTHORIZING SALE OF SURPLUS PROPERTY

WHEREAS, the Town of Hammonton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town of Hammonton is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967 / T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
2. The sale will be conducted online and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Below is a list of surplus property to be sold:

1980 Power Curber PC-150      Serial#      15384042

#R131-2009 Renew Anthony Parker 2009-10 Liquor License

R# 131 -2009

ATLANTIC COUNTY, NEW JERSEY,  
AUTHORIZING THE ISSUANCE OF ABC LICENSES  
BEGINNING JULY 1, 2009 AND EXPIRING JUNE 30, 2010

WHEREAS, it is a requirement of NJ ABC that in the matter of the authorization and issuance of license of the sale of Alcoholic Beverages, a resolution must be adopted, which resolution shall specifically determine and name the person, firm or corporation adjudged by such resolution to be entitled to such license as adjudged to be issued, and further such resolution must also fix the name and the licensed premises; and

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

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

0113 33 028 005 Anthony S. Parker  
t/a none  
Location: (pocket)

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

#R132-2009 Approve Payment JIF Deductible – Ripa vs. Hammonton

RESOLUTION # 132 -2009

RESOLUTION AUTHORIZING THE  
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND  
TO RELEASE FUNDS FROM THE  
AGGREGATE EXCESS LOSS CONTINGENCY FUND  
TO THE TOWN OF HAMMONTON

**WHEREAS**, the case of Ripa vs. the Town of Hammonton has come to a conclusion.

**WHEREAS**, the Town of Hammonton wishes to utilize the funds from its existing balance from the Atlantic County Municipal Joint Insurance Fund's Aggregate Excess Loss Contingency Fund to cover the town's portion of its deductible and co-payment.

**WHEREAS**, the Town of Hammonton is obligated to pay \$22,780.27 to the Municipal Excess Liability Joint Insurance Fund for defense of said case;

**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 Atlantic County Municipal Joint Insurance Fund is authorized to release the amount of \$22,780.27 from its share of the Atlantic County Municipal Joint Insurance Fund's Aggregate Excess Loss Contingency Fund to the Town of Hammonton for the payment of same.

#R133-2009 Approve Our Lady of Guadalupe Spanish Procession

RESOLUTION # 133 -2009

RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL  
 "OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION"

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

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

WHEREAS, **December 13, 2009 at 12:00 noon** is the scheduled date for the Spanish Community Our Lady of Guadalupe Procession; and

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

Procession begins on Third Street at St. Joseph Church  
 Turn left onto French Street  
 Turn left onto Egg Harbor Road and proceed to St. Martins Church

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 Town of Hammonton authorize "Our Lady of Guadalupe Spanish Community Procession."

#R134-2009 Authorize Transfer of Funds

#R 134 -2009

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

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

FROM: IN CAP		
Municipal Court S&W (9-01-43-201-100)		\$9,850.00
TO: IN CAP		
Rescue Squad OE (9-01-25-122-200)		\$50.00
TO: IN CAP		
Finance OE (9-01-20-103-200)		\$1,000.00
TO: IN CAP		
Airport OE (9-01-30-137-200)		\$1,000.00
TO: IN CAP		
Admin OE (9-01-20-101-200)		\$1,000.00
TO: IN CAP		
Planning Board OT (9-01-21-109-112)		\$800.00
TO: IN CAP		
Radio S&W (9-01-25-120-100)		\$5,000.00
TO: IN CAP		
Municipal Court OE (9-01-43-201-200)		\$1,000.00
FROM: IN CAP		
Admin S&W (9-01-20-101-100)		\$15,000.00
TO: IN CAP		
Group Ins. OE (9-01-23-114-200)		\$15,000.00

FROM: IN CAP Economic Dev. OE (9-01-20-11B-200)	\$5,000.00
TO: IN CAP Natural Gas OE (9-01-31-11F-200)	\$5,000.00
FROM: IN CAP Police S&W (9-01-25-119-100)	\$20,000.00
TO: IN CAP Electric OE (9-01-31-11G-200)	\$20,000.00
FROM: IN CAP Construction S&W (9-01-22-126-100)	\$10,000.00
TO: IN CAP Highway OE (9-01-26-123-200)	\$10,000.00
FROM: IN CAP Insurance OE (9-01-23-115-200)	\$500.00
TO: IN CAP Tax Assessor OE (9-01-20-104-200)	\$500.00
FROM: IN CAP Public Bldg./Grd S&W (9-01-26-108-111)	\$10,000.00
TO: IN CAP Legal OE (9-01-20-106-200)	\$10,000.00
FROM: IN CAP Gasoline OE (9-01-31-11E-200)	\$5,000.00
TO: IN CAP Public Bldg./Grd OE (9-01-26-108-200)	\$5,000.00
FROM: IN CAP Water OE (9-05-55-601-200)	\$5,000.00
TO: IN CAP Water S&W (9-05-55-601-100)	\$5,000.00

#R135-2009 Amend Capital Budget

WHEREAS, the local capital budget for the year 2009 was adopted on the 26th day of May, 2009; and

WHEREAS, it is desired to amend said adopted capital budget;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Town of Hammonton, County of Atlantic, that the following modification to the adopted capital budget of the Town of Hammonton be made:

General Capital Fund

	<i>Debt</i>			
1) <u>Purpose</u>	<u>Total</u>	<u>Grant</u>	<u>CIF</u>	<u>Authorized</u>

4 <sup>th</sup> Street Reconstruction <b>(A)</b>	<u>\$ 180,000</u>	<u>\$ 180,000</u>	<u>\$ -0-</u>	<u>\$ -0-</u>
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**(A)** This Ordinance supplements Ordinance #11-09 – Grant from the NJTTTF.

<b>2) <u>Purpose</u></b>	<b><u>Total</u></b>	<b><u>Grant</u></b>	<b><u>CIF</u></b>	<b><u>Debt Authorized</u></b>
Airport South Runway <b>(B)</b>	<u>\$ 78,309.82</u>	<u>\$74,394.33</u>	<u>\$ 215.49</u>	<u>\$ 3,700</u>

**(B)** This Ordinance supplements Ordinance #3-08 – Grant from the NJ Department of Transportation, Division of Aeronautics.

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.

#R136-2009 Award Bid Rt. 54

Motion by Councilperson Wuillermin, seconded by Councilperson Barberio, resolutions 129-136 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino – Y

Lewis - Y (abstain on resolution 132 only)

Petrongolo - Y

Rodio - Y

Wuillermin - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Bud Payner – Traditions at Blueberry Ridge

Mr. Payner wanted to thank Brian Howell, Town Solicitor, and the entire Mayor and Council for their help in the recent paving at Blueberry Ridge.

Mark Santora – Old Forks Road

Mr. Santora stated he is happy that the paving at Blueberry Ridge has been completed, however, he had other issues he brought before Mayor and Council such as the berm and the sewer and water letters previously sent to his parents. Mr. Santora also once again questioned when will the basin be fixed?

Solicitor responded that the issues Mr. Santora is questioning are being addressed and he feels they are very close to a solution. However, he cannot give Mr. Santora a date as he is dealing with several different entities in his attempt to resolve the problems at Pulte. Solicitor once again questioned Mr. Santora what he feels is the downside of living next to the basin?

Mr. Santora stated his family did not want a basin in their backyard and did not feel it would function from the beginning. Mr. Santora stated he is also bothered by the run off water coming onto his property.

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.