

2/22/10 CM

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
February 22, 2010 at 6:00 P.M.

Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER BY MAYOR DIDONATO

ROLL CALL

Mayor DiDonato - P
Councilpersons:
Barberio - P
Bertino - A
Gribbin - P
Lewis - P
Pullia - P
Rodio - P

PRESENT ALSO

Brian Howell, Town Solicitor

Enter Into Closed Session

#R 23A-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. Stockton/town joint participation agreement: attorney/client privilege
3. Coah litigation update – attorney/client privilege
4. Ptl. Maimone vs. Town – lawsuit –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 Lewis, seconded by Councilperson Gribbin, the resolution be adopted to enter into closed session.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - A
Gribbin - Y
Lewis - Y
Pullia - Y
Rodio - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

ROLL CALL – RESUME OPEN SESSION

Mayor DiDonato - P

Councilpersons:

Barberio - P

Bertino - P (arrived late to meeting for initial roll calls but was also in attendance in closed)

Gribbin - P

Lewis - P

Pullia - P

Rodio - 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

John Bee

Mr. Bee referenced the proposed hospital for Hammonton and stated his proposed development would be work along with this proposal.

Anthony Mortellite

Mr. Mortellite referring to resolution appointing tax assessor as agent quoted the first paragraph "everyone pays fair share of taxes" and stated by Mayor and Council utilizing water and sewer utility funds toward the general budget they are not allowing people to pay their fair share of taxes.

The Clerk responded that the resolution Mr. Mortellite is referring to is appropriating funds for water and sewer budgets. The funds will be used to pay water and sewer capital budget obligations and not go toward general fund.

APPROVAL OF MINUTES

Regular Meeting – January 25, 2010

Closed Session – January 25, 2010

Motion by Councilperson Bertino, seconded by Councilperson Barberio, approve the Regular and Closed Sessions of January 25, 2010.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

DISPENSE WITH REGULAR ORDER OF BUSINESS

1. Hearing Ordinance #002-2010 JIF Mandated Updates Employee Handbook
Placed in full in the minutes of 1/25/10

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

2. Hearing Ordinance #003-2010 Amend Chapter 175 B-2 Zone
Second reading placed in full

ORDINANCE # 003 - 2010

AN ORDINANCE TO AMEND ARTICLES II, XII AND XIII OF CHAPTER 175 OF THE GENERAL ORDINANCES 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:

Findings. The Mayor and Council for the Town of Hammonton hereby make the following findings: Section 175-155 of the Town of Hammonton Land Development Ordinance (the "Ordinance") provides that "Hospitals" are permitted principal uses in the Highway Business ("B-2") Zoning District; however, the Ordinance does not provide a definition for the term "Hospital."

The continued use and development of Hospitals and Hospital-related uses and facilities within the B-2 Zoning District are consistent with the Town of Hammonton Master Plan and the purposes of New Jersey Municipal Land Use Law, which, among other things, encourage municipalities to guide the appropriate use or development of lands in a manner which will promote the public health, safety, morals, and general welfare, as provided at N.J.S.A. 40:55D-2.

The location of Hospital and Hospital-related uses within the B-2 Zoning District contemplates the delivery of a variety of Hospital-related services, which may be provided on an inpatient or outpatient basis, at a hospital's main facility or its satellite facilities, including but not limited to all of the medical procedures, facilities, and other services and activities that a modern Hospital is expected to provide for patients.

The location of Hospitals and Hospital-related uses within the B-2 Zoning District also contemplates the incorporation of sufficient medical and office buildings and spaces within a Hospital complex in order to accommodate the variety of medical and other professionals, who may be required to provide services in connection with, or ancillary to, the Hospital use, and that some office space may be occupied by medical and other professionals, who are providing services, but who may not be directly affiliated with the Hospital.

The development of the B-2 Zoning District is critical to Hammonton's economic prosperity. To promote the development of professional and medical offices, as well as office parks and other permissible uses within this zone, which uses may not be directly affiliated with each other, more than one principal use and more than one principal building or structure should be permitted on a lot.

The Planning Board of the Town of Hammonton has recommended that it is appropriate and consistent with the Town of Hammonton Master Plan to amend Sections 175-121, 175-155 and 175-156 of the Ordinance in order to clarify that the development of Hospital uses within the B-2 Zoning District is intended to incorporate a variety of Hospital-related buildings, structures, facilities, services, and ancillary uses within the Town of Hammonton as set forth above, and that zoning variances should not be required for the provision of such facilities and services in connection with a permitted Hospital use.

The Planning Board of the Town of Hammonton has also recommended that it is appropriate and consistent with the Town of Hammonton Master Plan to amend Section 175-156 of the Ordinance in order to allow more than one principal use and more than one principal building or structure on a lot in the B-2 Zoning District in order to incorporate a variety of professional and medical offices, as well as office parks and other permitted uses within the Town of Hammonton as set forth above. The Planning Board has also recommended that Section 175-10 of the Ordinance be amended to specifically define the term "shopping center" which definition does not currently appear in the Ordinance.

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

A. Section 175-121 of the Ordinance is amended to read as follows:

175-121 Number of principal structures and uses permitted. Unless otherwise specified for a particular zoning district, no more than one principal building or structure shall be permitted on one lot, except as otherwise noted in this chapter. Unless otherwise specified for a particular zoning district, no more than one principal use shall be located on one lot, except for forestry, agriculture, horticulture, fish and wildlife management, recreation development, and Hospitals and Hospital-related uses.

B. Section 175-155 of the Ordinance is amended to read as follows:

175-155.A.(10) Hospitals, which shall include any inpatient or outpatient/ambulatory care medical use, including but not limited to acute care, rehabilitation, nursing home or assisted living services, outpatient medical offices and clinics, diagnostic services including imaging centers and clinical laboratory services, sleep labs, specialized medical treatment services such as surgical centers, cancer treatment, lithotripsy, wound care, physical therapy, hospice or home care services, and medical day care; and ancillary and accessory uses, including but not limited to, helipads, parking, employee day care, gift and coffee shops, and administrative offices and offices for either affiliated or nonaffiliated professionals.

C. Section 175-156 of the Ordinance is amended to read as follows:

Section 175-156(K) Individual lots within the B-2 Highway Business District may contain more than one principal use and more than one principal building or structure, provided that the total lot coverage specified for the district is not exceeded. Notwithstanding this paragraph, shopping centers shall abide by the building separation requirements set forth in Ordinance §175-156(B). Any entity that proposes to develop a lot in accordance with this paragraph (175-156 (K)) as

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revised, shall submit a site plan to the Town of Hammonton Planning Board for review and approval.

D. Section 175-10 of the Ordinance is amended to add the following definition:
SHOPPING CENTER – A unified development of not less than three (3) stores, shops or other commercial establishments, together with areas for internal circulation, parking and other accessory uses consisting of one or more lots under the same or separate ownership.

E. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of the inconsistency.

F. If any section, sentence, or other part of this Ordinance is adjudged unconstitutional or invalid, that judgment shall not affect, 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.

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

The Solicitor requested that the hearing on this ordinance be continued to March 22 regular meeting of council. Solicitor further advised there is a planning board meeting on March 3 at which time the board will make a decision concerning this ordinance amendment. If the decision is favorable, the Clerk's office will notice the public via mailings per law and this ordinance will be heard and taken up for second reading and adoption at the March 22, 2010.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio

Report on Administration Committee meeting held 2/18/10 topics of discussion were:

Comcast franchise fees

Federal mandates for registrar office

Finalize fire chief office at town hall

town organizational chart update

channel 9 policy updates

BUSINESS & INDUSTRY-Councilperson Gribbin

Report on Hammonton Revitalization Corp meeting and congratulate new members

Suggest update channel 9 policy

EDUCATION-Councilperson Bertino

Report on school resource officer agreement which will come to council for approval March 22 council meeting

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Refer action items to engineer report

Thanked Lance, Scott and all highway dept employees for great job during recent snow storms

The Town is applying for fema funds for all snow storms

LAW & ORDER-Mayor DiDonato

Report on 2/16/10 Law and Order meeting topics of discussion were:

snow removal reimbursement

police/radio budgets

scheduling

QUALITY OF LIFE – Councilperson Lewis

Report on free program-Stockton Center for Aging Events-information at www.Stockton.edu/scosa

WATER & SEWER – Councilperson Pullia

Referred items to engineer report

Reported on award of bid resolution for water department telemetry system under new business

*Solicitor to report on new cell tower and incorporating antennas for telemetry system with that proposal

Report on roadway upgrades

Investigating solar energy use at water and sewer departments

ENGINEER REPORT
SEWER & WATER ACTION ITEMS

1. Liberty Dialysis Sanitary Sewer Service Lateral (ARH #11-50133):

We have received an application for the installation of a new deeper sanitary sewer service lateral for the renovated commercial building at the White Horse Pike/Pine Road intersection also designated as Block 2301, Lots 39 & 41.01. Approximately 8,400 sf of the 12,415 sf building will be occupied by the Liberty Dialysis Clinic.

Motion by Councilperson Pullia, seconded by Councilperson Bertino, approve of the new sanitary service lateral connection for the proposed Dialysis Clinic to be established within the renovated building located on Block 2301, Lots 39 and 41.01 subject to compliance with the following conditions:

1. The new design flows for the proposed Dialysis Clinic be compared to the flow from the prior use and the appropriate water and sewer connection fee be assessed. The calculated fees shall be deposited with the Town prior to the issuance of a Certificate of Occupancy for the building.
2. The proper number of water and sanitary services for each of the proposed uses within the building shall be established, be properly metered and billing established.
3. Payment of all appropriate permit, review and inspection fees shall be paid to the Town in accordance with ordinance and regulatory standards. All fees, bills and invoices shall be satisfied prior to the issuance of a certificate of occupancy for each intended use to be established within the building complex.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC WORKS ACTION ITEMS

2. North Street Drainage (ARH Proposal #10-0075):

We met on-site with two adjacent property owners, the Solicitor and the Public Works representatives of the PWTC related to the above noted area. A few options for possible improvement were discussed. However, in order to further evaluate whether the options discussed would work some field work and further investigation will be needed. We will provide the Mayor and Town Council with a proposal to complete the required investigative survey and conceptual design work.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve ARH revised proposal for the work described therein for a total price of \$625.00.

Councilman Bertino questioned pipe placement?

Engineer replied elevations will be taken to ascertain where the pipe will be placed.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

3. **Hammonton Lake Park (ARH #11-90028):**

Phase I – Construction:

As requested we have met with the Contractor to discuss the costs provided for the extra work requested and completed at the Lake Park site. At this time, the Contractor revised costs have been reviewed and recommended for Council's consideration for the final change order. Ultimately there is an \$11,942.55 increase in the original Contract cost due to extra work requested. This is a 2.58% increase to the original Contract, which will have a final value of \$475,559.50. The original request from the Contractor was \$15,201.50 with a final adjusted cost of **\$11,942.55**, yielding a \$3,805.91 decrease to the original Contractor's request. Please note there is not a final payment request in for consideration as of this writing only the change order request. There are a few minor punch list items still outstanding. Once these items are completed, we can work to close out the contract and requisition the \$400,000 grant from Atlantic County.

Refer to New Business for adoption of resolution.

SEWER & WATER INFORMATION ITEMS

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

The project is substantially complete. There are a number of punch list items that need to be completed prior to closeout, including striping and final restoration. We will be working with the Contractor to close out this project once the weather permits. In conjunction with any final payment consideration the reimbursement of monies agreed to via the inter-local services agreement should be requested.

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

As a reminder, this project will cover from Valley Avenue to Third Street and is necessary to repair an antiquated sanitary sewer main along this section of Bellevue Avenue. While the road is excavated, the water main, which is also aged and undersized, and limited section of storm sewer will be replaced and inlets added as needed. Since this project involves the central artery through the Town and detours will be necessary, it is our intent to request PWTC to conduct a public session so that all affected parties (business merchants, school systems, residents, general traveler, and emergency management) are fully aware of the detour routes, hours of operation, duration of project, closures, etc.

There is no good time to repair these utilities for no matter when it is completed, it will serve as an inconvenience to someone, but unfortunately this work must be accomplished. Assuming the contracts and bonding are acceptable and adequate time is provided for public awareness, the project can commence by early March (weather permitting). We hope to be meeting with the contractor shortly to discuss various items of concern.

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

Optimization Report ~

On February 1, 2010, the response to the October 6, 2009 submission of the Optimization Report was provided by Ed Wengrowski of the Pinelands Commission. A preliminary meeting was held with Hammonton Representatives to formulate a response to the correspondence. Generally speaking, the response agreed with the proposal set forth by the Town. We will be discussing implementation and the associated costs of certain measures that will be attempted in addition to the current loading and drip irrigation trial.

Lee Rain – Trial Application ~

As reported last month, some difficulties were experienced with the monitoring devices installed by Lee Rain. As a result, the trial has not been consistently operative. Additionally, the extreme wet conditions over the last two months have also been a prohibiting factor. We have reached out to Lee Rain to identify a definitive schedule so that this important trial procedure can be implemented.

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

Major Modification Application:

Now that the Pinelands has released their findings on the Optimization Report as referenced above, their next focus will be on addressing the request for increase in water diversion. As a reminder, they indicated that the staff report would not be available until after February 28, 2010 and therefore, possibly to be heard at the first meeting of the Commission which would be March 5, 2010. Once we obtain a copy of the staff report, we will review same with the Town officials.

Future Well:

The one last property in the area that would be most suitable for the placement of a new well was fully explored during the past month. This parcel is adjacent to the Holy Sepulcher and owned by the Diocese of Camden. We have been informed by Diocese Representatives that they have no interest in conveying the land since the parcel is involved in their future planning. As a result, after all this time, it appears that the Town will need to focus on the 11th Street parcel under their ownership. The next steps will be discussed with the PWTC at an upcoming meeting to proceed at a location on the 11th Street parcel and install a testwell.

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

The newly appointed members of the PWTC recently discussed this matter and decided to pursue this project. ARH was authorized to submit plans to NJDEP for approval under the Spillfund Program and to check on the status of the project funding of \$770,000.00. Other decisions regarding scope were finalized and it appears that a Spring bid would be probable for this project which would include various options for possible award consideration. We will keep Council informed of further progress. We will also need the Solicitor to finalize the agreements with the two property owners where a waiver of the well sealing was approved by NJDEP.

PUBLIC WORKS INFORMATION ITEMS

9. 2010 Roadway Resurfacing Program (ARH #11-40040):

As supplied by the Mayor, we have reviewed the list of possible roadways that could be considered for a resurfacing program. As requested, we provided copies of the road list to the various Town Superintendents and asked that they review each roadway and provide an opinion as to whether any utility, curb, sidewalk, drainage or tree removal is needed. We also met with both a micro-surfacing and a thin surface pavement contractor to review and discuss each of their processes. We requested they also review the project road list to provide their input related to the use of their process on the project roadways. We talked with the inspector from the Atlantic County Improvement Authority which have used the micro-surfacing process in the past. They provided our office with a list of roads that were completed in Atlantic County which we will distribute to the PWTC. 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.

10. **Central Avenue Sidewalk Continuation (ARH #11-40027.02):**
We will meet with the PWTC to seek their advice on how to proceed if it is desired to continue with this project. If it is decided to proceed with the project, some additional direction will be needed and we will need to prepare a revised proposal for the PWTC and Council's consideration at a subsequent meeting.
11. **Wescoat Property Site Investigation, 3rd & Walmer Streets, Block 3001, Lot 41 (ARH #11-01064):**
Henry Weigel from our office provided a memo to the Town Clerk related to the Site Investigation Report and Remedial Investigation Work Plan for the above noted property. As required by the NJDEP, this Report and Work Plan must be submitted to the State offices under the Mayor's signature. It is also noted in the report that additional site investigation and sampling will need to be completed at the site if the Town desires to continue with the acquisition of this site. There is also the possibility that funding to complete this additional work could be obtained from the State. If desired, we could prepare a proposal to make a subsequent application for funding consideration. We will be directed by the PWTC's and Council's decision. We need the Mayor to sign the report so that it could be filed with the State as required.
12. **Community Development Funds, 2006 ADA Curb/Walk Replacement (ARH #11-40026):**
The final payment has been made to the contractor and we have submitted the documents to request reimbursement of the eligible portion of the project cost from the ACIA. We are waiting for the results of their final inspection and notification that the reimbursement has been approved.
13. **First Road Resurfacing, County Route # 688 (ARH #11-01000):**
As briefly discussed with the PWTC, it would be important for the Town to complete whatever water and sanitary sewer extensions and/or replacements as quickly as possible within First Road (County Route #688) prior to the County completing their resurfacing project later this year. Once this roadway is resurfaced; there will be a five (5) year moratorium for any street opening permits. It would also be much more costly to complete any utility installation and roadway restoration at a later date once the roadway is reconstructed. The PWTC will discuss this matter in further detail and discuss budgetary appropriations as necessary, along with seeking possible funding assistance for the project improvements. We will be directed by the PWTC and Council's recommendation. Quick action related to matter is of the utmost importance since various approvals and permits will be required.
14. **ACIA 2009 Funding Request (ARH #11-40038):**
As indicated at prior meetings, 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 which could also be applied to a new eligible project. We will discuss options for funding eligibility with the PWTC. Once a roadway or project area is approved, we will provide the proposal for Council's consideration. We have recently received a notice from the ACIA requesting that the Town provide a report related to their intent for use of the funds. We will be directed by the PWTC and Council's recommendation.
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 #8 funding, along with prior funding rounds 6 & 7. The Solicitor has reviewed the list of properties with the appropriate Town officials to seek their input as to which properties to proceed further with and how to properly respond to the County related to the Town's desire. The Solicitor will update the Council on this matter. 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):**
As authorized last Council meeting, we have begun reviewing the information provided by the Solicitor associated with this site and completing some initial research of the property and its history. We have been hampered from conducting any additional on-site investigation due to the inclement weather conditions.
17. **Lincoln Street SJ Gas Site Remediation (ARH #11-30000):**
The Solicitor had received a letter from Mike Halter from SJ Gas Company indicating that they want to meet with the Town Officials related to their first phase of the site remediation process at Lincoln Street. We have requested some additional details and will set up a meeting for discussion purposes, once we discuss same with PWTC.
18. **Hammonton Lake Park (ARH #11-90028):**
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 to the Mayor and Council 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. We will also be discussing this issue and the proposed improvements with the Parks and Recreation Committee.
19. **Fourth Street Reconstruction (ARH #11-40034):**
NJDEP BSDW Permit: This permit has been obtained. We will now start putting together final design plans in preparation for a public bid. We will also be preparing project cost estimates and bid options for the PWTC and Council's consideration.

Funding: It should be noted the NJDOT has announce 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. The project funding must be established within the Town's 2010 budget.
20. **Boyer Avenue Recreation - Phase III (ARH #11-75003):**
At present time the two outstanding permits that need to be obtained are from Atlantic County and 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, which we plan to discuss with the PWTC or the appropriate Town Committee to decide which approach the Town would like to take on this issue.
21. **Egg Harbor Road Parking Lot (ARH #11-40029):**
As authorized we have started preliminary design efforts on the parking lot to be situated next to the Historic Train Station on Egg Harbor Road. We will be scheduling additional field work and soil pits to obtain information that will be required from Atlantic County and soil borings for the storm water facilities that will be required by Pinelands. We provided two different conceptual sketches to the Mayor for review and comment.

SOLICITOR REPORT

Metro PCS-authorize modify RFP to equip water department tower for telemetry system

Motion by Councilperson Pullia, seconded by Councilperson Bertino, authorize revision to RFP to include antenna placement for water department telemetry system and to include a mandatory pre bid meeting.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Revise NPP resolution

Walden No Parking Ordinance

Tax abatement ordinance

Appointment of ad hoc Royce run committee (referred to Councilpersons Pullia & Rodio)

Status B2 Zone change ordinance-discussed under dispense

Solid waste contract update

Open space resolution

Lou Rodio request for work force assistance

Historic commission – vacancies to be filled

Solar & windmill ordinance

Stockton agreement

Pulte update

COAH update

Animal contract contract-under new business

Authorize Mayor and Clerk to execute (by hand or electronically) grants/appropriations(inc in resol)

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, grant retroactive authorization for advertisement of RFP for professional grantor.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Resolution re: tax collector/tax assessor county consolidation

MAYOR REPORT

Mayor Appointment – Environmental Commission Alternate 1 Member

Chris Jage to unexpired term Tait Chirenje 3 year appointment to expire 12/31/10

Authorize Purchase Replacement Vehicle

2010 Dodge Quad Cab Hertrich Fleet (State Vendor 73866) \$17,397.00 to replace totalled vehicle

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Motion by Councilperson Pullia, seconded by Councilperson Lewis, authorize purchase of replacement for totalled vehicle in amount of \$17,397.00.

ROLL CALL

Councilpersons:

Barberio - Y
Bertino - Y
Gribbin - Y
Lewis - Y
Pullia - Y
Rodio - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Mayor visited Stephanie Smith at Innova who celebrated her 100 birthday today

TOWN CLERK/ADMINISTRATOR REPORT

1. Council Appointment – Board of Adjustment Alternate 1 Member
Sal Colasurdo – 2 year appointment to expire 12/31/11
2. Confirm Permanent Appointment Kim Torres-Deputy Mun Crt Administrator-no pay increase
*the Clerk noted this position was not finalized by NJ CSC in error and the employee has been serving in this position for several years

Motion by Councilperson Barberio, seconded by Councilperson Pullia, Town Clerk/Administrator Action Items 1 and 2 be approved.

ROLL CALL

Councilpersons:

Barberio - Y
Bertino - Y
Gribbin - Y
Lewis - Y
Pullia - Y
Rodio - Y
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

APPROVAL BILLS & PURCHASE ORDERS

Motion by Councilperson Barberio, seconded by Councilperson Bertino, the bills and purchase orders be approved.

ROLL CALL

Councilpersons:

Barberio - Y
Bertino - Y
Gribbin - Y
Lewis - Y
Pullia - Y (recused on bill list pages 4 & 18 insurance services only)
Rodio - Y (recused White Star bills only)
Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

First Reading Bond Ordinance #004-2010 Introduction – Grant Funding Airport Apron Project

Ordinance #004-2010

(Supplementing Bond Ordinance #3-2008, as supplemented by Bond Ordinance 32-2009)
BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$19,257.38
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 \$900 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 \$19,257.38, 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, the \$78,309.82 appropriated therefor by bond ordinance 32-2009 of the Town finally adopted December 21, 2009, including an additional grant in the amount of \$18,294.51 from the New Jersey State Department of Transportation, Division of Aeronautics and including the sum of \$62.87 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 \$900 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 \$25,975, including the \$21,375 bonds or notes authorized by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, the \$3,700 bonds or notes authorized by bond ordinance #32-2009 of the Town finally adopted December 21, 2009 and the \$900 bonds or notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$547,567.20, including the \$450,000 appropriated by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, the \$78,309.82 appropriated by bond ordinance #32-2009 of the Town finally adopted December 21, 2009 and \$19,257.38 appropriated herein.

(d) The estimated amount of the grant is \$520,188.84, including the \$427,500 authorized by bond ordinance #3-2008 of the Town finally adopted February 25, 2008, the \$74,394.33 authorized by bond ordinance #32-2009 of the Town finally adopted December 21, 2009 and the \$18,294.51 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 \$900, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$130,000 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, \$35,000 appropriated under Bond Ordinance #32-2009, finally adopted December 21, 2009 and \$5,000 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 Gribbin, the ordinance be taken up for first reading, pass first reading and be given legal publication.

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Gribbin - Y
- Lewis - Y
- Pullia - Y
- Rodio - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

First Reading Bond Ordinance #005-2010 Amend Vehicles and Traffic-Walden Investors LLC no parking
To be placed in full upon second reading

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

ROLL CALL

Councilpersons:

- Barberio - Y
- Bertino - Y
- Gribbin - Y
- Lewis - Y
- Pullia - Y
- Rodio - Y
- Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R024-2010 Appoint Kathy Velardi Claims Coordinator

#R 024-2010
Municipal Joint Insurance Fund
Resolution Appointing Claims Coordinator

WHEREAS, the Town of Hammonton is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Claims Coordinator to coordinate and oversee the Member claims reporting and record keeping efforts, and act as a liaison between the municipality, the JIF Claims Administrator, and other outside agencies.

WHEREAS, the Town of Hammonton recommends the appointment of Kathryn Velardi to serve as Claims Coordinator in accordance with the FUND requirements;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that it does hereby appoint Kathryn Velardi as Municipal Claims Coordinator.

#R025-2010 Authorize Recycling Tonnage Grant Application for Recycling Year 2009

RESOLUTION # 025 -2010

RESOLUTION AUTHORIZING GRANT APPLICATION
FOR RECYCLING TONNAGE GRANT FOR YEAR 2009

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of the municipality to recycling and to indicate the assent of the Town of Hammonton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Lance Schiernbeck is herein designated as the individual authorized to ensure that the application is properly completed and timely filed.

2/22/10 CM

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 Town of Hammonton hereby endorses this submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and therefore designates Lance Schiernbeck to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purpose of recycling; and

BE IT FURTHER RESOLVED that the Mayor, Town Clerk/Administrator and Lance Schiernbeck, Recycling Coordinator are hereby authorized to execute any and all documents in furtherance of this Resolution.

#R026-2010 Appoint Tax Assessor as Agent for our Taxing District for year 2010

RESOLUTION #026-2010

RESOLUTION APPOINTING ASSESSOR AS AGENT FOR TOWN OF HAMMONTON

WHEREAS, from time to time the Assessor discovers an error in calculation, transposing, measurement, computer of typographical errors in the Tax Assessments on the Tax List after the time the County Board of Taxation has certified the tax rate for the tax year; and

WHEREAS, the governing body of the Taxing District of the Town of Hammonton is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected the taxpayers affected would be paying more than their fair share of taxes; and

WHEREAS, the method of correcting such errors is to file a Petition of appeal for the current year with the Atlantic County Board of Taxation; and

WHEREAS, the error was not caused by the taxpayer.

THEREFORE BE IT RESOLVED, by the governing body of the Town of Hammonton that the Assessor is hereby authorized to act as an agent for the Taxing District and file a Petition of Appeal or Appeals for the **year 2010** with the Atlantic County Board of Taxation to correct such errors and lower such assessments to the current value; and

That a certified copy of this Resolution be forwarded to the Hammonton Tax Assessor to forward to Atlantic County Board of Taxation with any such Petition of Appeal.

#R027-2010 Authorize Annual Mt. Carmel Festival (Procession and Carnival)

RESOLUTION # 27 -2010

RESOLUTION AUTHORIZING
THE "FEAST OF OUR LADY OF MT. CARMEL" PROCESSION AND CARNIVAL

WHEREAS, July 12th through July 18th is the scheduled date for the Lady of Mt. Carmel carnival and events in the Town of Hammonton; and

2/22/10 CM

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

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

9:00 a.m. procession

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

4:00 p.m. procession

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

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

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

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the July 16th week of carnival and events and the July 16th Our Lady of Mount Carmel Society procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

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

#R028-2010 Temporary Capital Budget – Airport Apron Grant

#R 028-2010
TOWN OF HAMMONTON
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce a bond ordinance to provide funds for the South Apron Rehabilitation End of Runway 3 from the General Capital Fund, including all appurtenances necessary and related thereto, and;

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

WHEREAS, the ordinance provides a total appropriation as follows:

<u>1) Purpose</u>	<u>Total</u>	<u>State Grant</u>	<u>Debt</u>	<u>CIF Authorized</u>	<u>Downpayment</u>
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2/22/10 CM

Airport South Apron Rehabilitation	<u>\$ 19,257.38</u>	<u>\$18,294.51</u>	<u>\$ 900.00\$</u>	<u>62.87</u>
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NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic that:

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

<u>General Capital Fund</u>	
Airport South Apron Rehabilitation	\$19,257.38
- (2) the project will be included in the Annual Capital Budget, and
- (3) one certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

#R029-2010 Authorize American Cancer Society Annual Bikathon and Road Closure

RESOLUTION # 29 -2010

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

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

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

WHEREAS, **July 11, 2010** is the scheduled date for the annual bikathon;

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

Egg Harbor Road (Route 561) from 9th Street to Park Ave.
Hours of road closure 8:30 am to 3:00 pm

#R030-2010 Tax Resolution February

#R 30-2010

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
3701-11	Triboletti	444 S. E H R	1,338.35	Tax	Refund First Amer Overpayment	Rosie
2813-12	Perez	113 Horton St.	701.43	Tax	Refund First Amer Overpayment	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

2/22/10 CM

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.

#R031-2010 Temporary Emergency Appropriations

RESOLUTION # 031-2010
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:

Adopted: February 22, 2010

Financial Administration	
Other Expenses	\$ 9,000.00
Admin. OE	\$12,000.00
Computer OE	6,000.00
Group Insurance Prem.-Emp OE	\$ 50,000.00
Insurance OE	\$ 12,000.00
Worker's Comp (ACMJIF)	\$ 1,000.00
N.J. Disability Ins. OE	\$ 5,000.00
Public Bldgs/ Grds OE	\$ 10,000.00
Road Repairs & Maint S&W	\$ 5,000.00
Municipal Airport OE	\$ 100.00
Natural Gas OE	\$ 10,000.00
Princ. Bond OE	\$ 91,250.00
Interest on Bonds	\$ 235,880.49
Green Trust OE (Loan Payment)	\$ 2,038.74
	<hr/>
	\$ 449,269.23
	<hr/> <hr/>
<u>Water</u>	
NJ Disb. OE	\$ 400.00

2/22/10 CM

Water Debt Service OE	\$ 210,945.35
	<hr/>
	\$ 211,345.35
	<hr/> <hr/>
<u>Sewer</u>	
NJ Disb. OE	\$ 400.00
	<hr/> <hr/>

#R032-2010 Animal Control Services – Shore Vet

#R 32 -2010

RESOLUTION REGARDING APPOINTMENT OF
ANIMAL CONTROL SERVICES

Whereas, the Mayor and Council of the Town of Hammonton wish to authorize the execution of a contract with Shore Veterinarians Animal Control Services LLC for the provisions of an animal control services contract in the amount of \$7200.00 per year, \$600.00 per month on a month effective 3/1/10 through 2/28/11.

Now, therefore, be it resolved, that the Mayor and Council of the Town of Hammonton, County of Atlantic, authorize execution of this agreement entitled "Agreement Between the Town of Hammonton and Shore Veterinarians Animal Control Services LLC."

Be it further resolved, that copies of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk's office during normal business hours; and

Be it further resolved, that language in chapter 90 of the Code of the Town of Hammonton inconsistent with the language and intent of this contract and Resolution be deemed and declared ineffectual.

#R033-2010 NPP Budget

#R033-2010

RESOLUTION ADOPTING NJ DEPARTMENT OF COMMUNITY AFFAIRS NEIGHBORHOOD PRESERVATION PROGRAM WORKPLAN PLAN AND BUDGET

WHEREAS, The Town of Hammonton has received New Jersey Department of Community Affairs (NJDCA) Neighborhood Preservation Program (NPP) funding Grant # 2008-02351-1423-01, grant period ending on June 30, 2010.

WHEREAS, The Town of Hammonton previously adopted a Work Plan and Budget on April 27, 2009 and a revised Work Plan and Budget was submitted to the NJDCA on January 25, 2010, which was drafted by the Hammonton Revitalization Corporation/MainStreet Hammonton and approved by the State of New Jersey, Department of Community Affairs on February 19, 2010.

WHEREAS, The Town of Hammonton adopts the Work Plan and Budget of current NPP funding, as we believe the program serves as a model for successful community revitalization for New Jersey.

WHEREAS, The Town of Hammonton NPP Program works to implement improvement activities in and around the Little Italy Neighborhood, including the acquisition and cleanup of blighted buildings such as the Skinner Factory, as well as a variety of community beautification, public enhancement projects and special events which are a catalyst for community involvement. The Town of Hammonton Neighborhood Preservation Program activities leveraged with other public funding programs, including the Small Cities Housing Rehabilitation

Program, bring revitalization activities including infrastructure and public safety enhancements and a plan to create a sense of place, as well as public and private improvements and rehabilitation.

BE IT THEREFORE RESOLVED, that the Town of Hammonton supports the Work Plan and Budget of the Neighborhood Preservation Program Funding into the 2010 Budget Year, which will continue to serve our revitalization program in the NPP/Little Italy community neighborhood and the surrounding areas.

#R034-2010 Award Bid Telemetry System – Water Department

#R 034-2010

WHEREAS, there has been advertised for bids for the supply of (UWS) Telemetry System required by the Town of Hammonton Water Department as required by the Public Contracts Law of the State of New Jersey; and

WHEREAS, Universal Instrument Service Co., PO Box 91, Pitman, NJ 08071, is the only bidder who submitted a conforming bid to meet the Town's requirements at a total project rate of \$29,861.00.

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 supply of Telemetry Services to the Hammonton Water Department be awarded to Universal Instrument Service Co. of Pitman, NJ; and

BE IT FURTHER RESOLVED that bid bond check # 1874378 in the amount of \$6162.35 is authorized to be released.

#R035-2010 Change Order Canoe Club (engineer report item 3)

#R 036-2010 Award Contract - Federal Grant Professional

Motion by Councilperson Lewis, seconded by Councilperson Gribbin, resolutions 24-36 (excluding resolution 35) be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

#R035-2010 Change Order Canoe Club roll call

Resolution # 035-2010
HAMMONTON LAKE PARK IMPROVEMENT PROJECT (PHASE I)
FINAL CONTRACT CHANGE ORDER REQUEST

WHEREAS, the Mayor and Town Council of the Town of Hammonton entered into a contract with Highway Safety Systems, Inc. dated April 27th, 2009 for the Phase I improvements at the Hammonton Lake Park; and

2/22/10 CM

WHEREAS, the work was being completed in conjunction with the design plans as prepared by Adams, Rehmann & Heggan Associates, Inc., revised dated April 7, 2009 and also as approved by the appropriate Town officials; and

WHEREAS, at the same time a contract was being completed by Joseph Poretta Builders, Inc. for the construction of the new Senior Center Building at the Lake; and

WHEREAS, it was desired by the Mayor and Town Council to have both the Senior Center Building and the Phase I Lake Park Improvements completed in a timely manner to allow for the dedication of both improvements during the late summer of 2009; and

WHEREAS, during the course of construction of the improvements at the Lake Park complex, modifications were required to the original contract quantities to reflect as-built conditions and supplemental items that were completed to address onsite conditions; and

WHEREAS, the list of contract change orders, which included additions, reductions and supplemental items were reviewed in detail with the Public Works and Transportation Committee (PWTC) and other members of Council; and

WHEREAS, there were findings and recommendations from the PWTC that certain change order items be deleted from the Town payment participation and that additional backup information be provided for certain items to provide clarification prior to taking formal action on the change order request; and

WHEREAS, as result of the above noted recommendations, a revised final change order request was prepared to address the items of concern which was provided to the PWTC for review and approval prior to presentation to the Mayor and Council for action; and

WHEREAS, the PWTC recommended approval of the revised change order reflecting an increase of \$11,942.55 or 2.58% from the original contract value of \$463,616.95 which resulted in a final contract value of \$475,559.50; and

NOW THEREFORE BE IT RESOLVED, that the Mayor and Town Council of Hammonton, County of Atlantic, State of New Jersey, that the Mayor and Town Clerk are authorized to execute the final change order document for the Hammonton Lake Park Improvement Project (Phase I) Contract which reflects an increase of \$11,942.55 or 2.58% from the original contract price of \$463,616.95 which resulted in a final contract value of \$475,559.50.

Motion by Councilperson Rodio, seconded by Councilperson Lewis, resolution 35 be adopted.

ROLL CALL

Councilpersons:

Barberio - N

Bertino - N

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

John Bee

Mr. Bee, referring to the Solicitors COAH report this evening, advised the public on his opinion of the matter including the actions he took to bring the COAH issue to its present status. He asked Mayor and Council why he cannot get an answer from them?

Solicitor advised Mayor and Council not to respond to Mr. Bee as the Town is currently in litigation in this matter.

Mark Santora – Old Forks Road

Mr. Santora questioned why are more meetings necessary to remediate the Pulte drainage pond. He stressed he has been very patient in this matter and asked Mayor and Council to please put a plan into place by next council meeting so that those concerned citizens can be advised of the plan?

Solicitor advised he felt that there should be a finalization to the drainage pond remediation plan by next council meeting.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Adm.