

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
March 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 - Absent
Gribbin - P
Lewis - P
Pullia - P
Rodio - P

PRESENT ALSO

Brian Howell, Town Solicitor

Enter Into Closed Session

#R 36A-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. Maimone vs. Town (insurance coverage update)
3. White Collar Association – MOA (agreement for confidential employees)
4. Request for leave under NJ FLA and FMLA & reason for same
5. Discuss Potential Layoffs and Furloughs (mandatory & voluntary)
6. Royce Run – Update re/potential litigation matter
7. COAH update

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

Motion by Councilperson Barberio, seconded by Councilperson Lewis, the resolution be adopted.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino – Absent (entered late during closed session)
Gribbin - Y
Lewis - Y
Pullia - Y
Rodio - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

RESUME OPEN SESSION-ROLL CALL

Mayor DiDonato - P

Councilpersons:

Barberio - P

Bertino - P

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

Richard Sceer – 508 Bellevue Avenue

Mr. Sceer questioned if there is any discussion to lay off police officers on the agenda this evening?

Mayor DiDonato stated no.

Mr. Sceer questioned if there will be opportunity to discuss potential layoffs?

Solicitor responded the Mayor will have a public statement this evening and a public meeting will take place on April 1, 2010 as well.

Hank Rodio – 12th Street Hammonton

Mr. Rodio questioned the proposed amendment to B2 zone and how it would affect his lots?

Solicitor advised Mr. Rodio concerning the proposed amendment.

John Bee

Mr. Bee spoke concerning COAH negotiations deadline.

Mary Henning – West Orchard

Ms. Henning questioned if Lou Rodio is laid off, who will be the director at the Canoe Club?

Mayor DiDonato advised he cannot discuss the specific status of employees with the public until they are noticed.

Mayor Statement

Mayor DiDonato stated, as you are all aware of the current status of our country and state, and raising taxes at this time is not an option. Council has heard from many people who are out of work and cannot put food on the table. The town's shortfall from this years budget is generated from several areas and described each shortfall in cost and percent including health care costs, pensions, governor cuts, shortfall in revenues. Mayor and Council have worked hard to come up with solutions to layoffs. Personally it's the hardest job for a government official to tell an employee they do not have a job. He asks all employees for a 10 percent reduction in salary which would all employees working. Numbers can also be reduced if eligible employees retire before the layoff plan is finalized. We hope and pray we can come up with alternatives to lay offs. He does not take the position lightly. He feels he has the weight of Hammonton on his shoulders but he must remember all 14,000 residents. We must work together and think of each other. He begged the unions, the taxpayers and the employees to please work together. He asked that we think of everyone, not just ourselves.

Mr. Sceer

Mr. Sceer questioned with regards to potential lay offs rumor of police officers being laid off in Hammonton. He stressed that the town has grown from 12,000 to 14,000 residents. He feels a reduction in police force will place the residents at risk. He agrees that the remarks the Mayor has made are correct. And he agrees we need to save money but it is important to recognize where we can cut corners and where we cannot. He suggested the police department should be left alone. He stated the people who are struggling to keep food on the table include our police officers.

Frank Ingemi, Police Chief

Chief Frank Ingemi stated he received many phone calls since 4 pm today from his men, community members, and political people. He has spent a lot of time with the Mayor this week to try to find a resolution to the budget problems. The people of Hammonton are somewhat spoiled with the services provided by the Town of Hammonton employees. People believe there are too many town employees, they have too much time off, they make too much money, and the police get to take vehicles home. If Mayor and Council have to lay off employees, the services will not be able to be provided as the public is used to. He feels his department is the best and the services are impeccable. Times are bad but times are going to get worse if officers are laid off. He believes the council has a hard job. He felt he must tell the community how he felt. He stated all departments of the town work hard for the taxpayers and their services provided are impeccable. He wants to find ways to raise income for the town.

Mayor DiDonato stated that council knows that they have an excellent police force and staff that are second to none. Please do not take it personally as we have a difficult job.

Solicitor advised that contingent upon the clerk's office receiving approval from civil service, a meeting will be held on April 1, 2010 at which time all employees will be invited to speak.

Jason Rigby – Police Officer

Mr. Rigby stated he was told today that he would not have a job tomorrow and apparently there must have made a mistake. He stated he is also up every night during the year working to protect the taxpayers while they are asleep. He believes he generates alot of money for the town.

Mr. Sceer

Mr. Sceer questioned he was advised this evening that no absolute decision has been made on layoffs of police officers and now he hears from Officer Rigby that he was told he was laid off today?

Mayor DiDonato advised he wanted to personally meet with employees who appear on the proposed lay off plan today and he advised each employee of the potential lay off and that Mayor and Council would meet tonight. He stated to each employee that no decision has been made for certain.

Peter Hagerty – Police Officer

Mr. Hagerty questioned if the paperwork was done correctly Mayor and Council would have had a vote tonight and we would have lost 4 officers?

Mayor responded yes it is correct.

APPROVAL OF MINUTES

Regular Meeting – 2/22/10

Closed Session – 2/22/10

Motion by Councilperson Bertino, seconded by Councilperson Rodio, approve the minutes as listed above.

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

Hearing – Ordinance #003-2010 Amend B2 Zone

Motion by Councilperson Barberio, 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 Barberio, seconded by Councilperson Lewis, 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.

Hearing – Bond Ordinance #004-2010 Grant Appropriate Airport Apron

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

No one desired to be heard.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, 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.

Hearing – Ordinance #005-2010 Amend Chapter 271-6 Vehicles & Traffic

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

No one desired to be heard.

Motion by Councilperson Bertino, seconded by Councilperson Barberio, 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.

COMMITTEE REPORTS

ADMINISTRATION -Councilperson Barberio

Administration Committee met once the past month but there are no action items

BUSINESS & INDUSTRY-Councilperson Gribbin

Report on resolution amending channel 9 policy under New Business this evening

Report on Arts & Culture event

Report on Chamber of Commerce event

EDUCATION-Councilperson Bertino

Report on school budget after state aid cuts

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Defer action item to Engineer report

Airport report items under Solicitor report

Advised brush pickup will continue until complete due to winter storms causing backup

Advised Bulky week April 5-9

LAW & ORDER-Mayor DiDonato

Law and Order discussed under Public Heard

Mayor personally thanked all the men and women who work hard for the town

QUALITY OF LIFE – Councilperson Lewis

Announcement-Stockton Center for Aging – Literacy Series March 30th 10-12 pm at Canoe Club

WATER & SEWER – Councilperson Pullia

Report on Rt. 54 project meeting (contractor will now finalize work by 5 pm, 4 days per week)

Report on water and sewer department

Thank you to sewer department

Report Boyer Avenue pilot program

Water Department performing spring hydrant flushing

Reported no increase in water and sewer utility fees for 2010

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

1. Wescoat Property Site Investigation, 3rd & Walmer Streets, Block 3001, Lot 41 (ARH #11-01064):

Henry Weigel and Chris Gardner 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 for review. 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. The State's review process has also slightly changed from the initial phases of the project. The NJDEP now requires that certain fees must accompany the report which are noted as follows:

Review fee for preliminary site assessment = \$375.00

Review fee for site investigations = \$750.00

Both checks must be made payable to the Treasurer State of New Jersey. We are requesting Council's approval for the issuance of these two checks so that the State's review process could continue.

Motion by Councilperson Bertino, seconded by Councilperson Gribbin, approve the issuance of the two checks noted above required by the State NJDEP associated with their review of the site investigation and remediation action work plan for the Westcoat property, Block 3001, Lot 41.

ROLL CALL

Councilpersons:

Barberio - Y

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

Mayor DiDonato declared the motion carried.

SEWER & WATER INFORMATION ITEMS

2. Pratt Street, Cedar Branch Stream Drainage Easements (ARH #11-06002.03):

Through the assistance of Councilman Rodio and a resident in the area of Pleasant Street, we have received a favorable response from all the affected property owners along the Cedar Branch Stream corridor related to the right-of-entry access request. We have supplied the property owner's contact information to the Town Solicitor. He will be preparing a right-of-entry agreement that must be executed by the property owners to allow access to the State for stream cleaning, de-silting and de-snagging operation. Once the agreements are executed, the State could then proceed with the permitting process and hopefully the cleaning process.

3. 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.

4. 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 sewer main along this section of Bellevue Avenue. While the road is excavated, the water main, which is also aged, and limited section of storm sewer will be replaced and inlets added as needed. Since this project involves the central artery through the Town detours will be necessary. A public information session was held on Monday March 15, 2010 in an effort to inform all affected parties (business merchants, school systems, residents, general traveler, and emergency management) of the detour routes, hours of operation, duration of project, closures, etc.

The pre-construction meeting is scheduled for March 18, 2010 at 10:00 a.m. It is our intent to issue a notice to proceed of April 1, 2010. The Contract is for a 120 calendar day duration.

Motion by Councilperson Pullia, seconded by Councilperson Bertino, authorize change of contract as reviewed by Solicitor.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

5. Boyer Avenue Land Application Site – Drip Irrigation/Beneficial Reuse

(ARH #11-50127):**Optimization Report -**

As previously reported, 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. The PWTC discussed the response prepared by ARH with the assistance of Omni Environmental. The response was issued to the Pinelands on March 12, 2010. The next step would be for the PWTC to discuss 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 -

Due to the excessive precipitation and groundwater levels, the initiation of the drip irrigation trial has been postponed. The operator is experiencing some difficulties in conveying flow to the Boyer Avenue complex, which was somewhat successful prior to the excessive rainfall. We are reconvening to discuss the current situation since it is important to the overall optimization strategy. Omni Environmental and ARH, along with the operator will meet on March 18, 2010.

6. Water Allocation (ARH #11-30088):**Major Modification Application:**

We contacted the Pinelands to obtain a status of the report which will contain their findings on the Town's request for increase on water diversion. In response to our latest inquiry, Ed Wengrowski of the Pinelands responded to us seeking additional information to gain a better understanding of Hammonton's prior water use and future demands.

Specifically, he is pursuing a report (email) provided by Ed Post, PE (NJDEP Enforcement) in July 2009 related to Hammonton's summer water demand. In that email, Mr. Post noted that the data suggested Hammonton's water use had recently increased to what appeared to represent usage of 200 gallons per persons per day according to Water Allocation. Mr. Wengrowski is interested in whether the 200 per person per day is accurate during summer months and also what is the average daily use per person during the remainder of the year. Additionally, he is seeking clarification to quantify how much of the water pumped by the purveyor gets returned to the sewage treatment plant, during summer months and during non-summer months. ARH will be providing this information to Mr. Wengrowski in an effort to gain closure on the request for increase in diversion rights.

Future Well:

As reported at the last meeting, the option for pursuing property owned by the Diocese of Camden, will not materialize. However, we have learned that Green Mount Cemetery owns property adjacent to Holy Sepulcher and may be interested in negotiating a land transaction with the Town. Councilman Pullia is working with Green Mount Cemetery on this arrangement. Lands that they own are within the area that would be most advantageous for the drilling of a new source. This last attempt to secure property before proceeding with the Town owned parcel at a location on 11th Street will be pursued due to its benefits.

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

As previously reported, the newly appointed members of the PWTC recently discussed this matter and decided to pursue this project. ARH sent questionnaires to the affected property owners. Also, correspondence with the NJDEP has occurred to verify the number of participants associated with the program. Following this verification, a formal submission to the Spillfund Program will be made to obtain approval of the design plans and scope. It is our intent to advertise this project for bid during the month of April assuming approval is received from the Spillfund Program. We will also need the Solicitor to finalize the agreements with the Torissi's and Adamucci's related to use of their agricultural wells.

PUBLIC WORKS INFORMATION ITEMS

8. **North Street Drainage (ARH #11-06003):**
As discussed at the last Council meeting, in order to further evaluate whether the options discussed would work some field work and further investigation will be needed. The gathering of the initial site elevations will be completed within the next few weeks. We will report our findings to the PWTC.
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. We also met with both a micro-surfacing and a thin surface pavement contractor to review and discuss each of their processes. 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 briefly discussed the project 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 from our initial discussion with the PWTC, it was decided to discontinue further work on this project for the present time until directed otherwise.
11. **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. Frank Zuber indicated that he has received a check in the amount of \$38,499.50 from the ACIA for their share of the project improvements.
12. **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 most likely later this year. Once this roadway is resurfaced; there will be a five (5) year moratorium for any street opening permits. It would be much more costly to complete any utility installation and roadway restoration at a later date once the roadway is reconstructed. We provided the PWTC with a rough cost estimate for the possible installation of public water and sanitary sewer within the County's project limits for First Road. We will discuss the options with the PWTC in further detail at a subsequent meeting so that funding could be considered within this year's budget or bonding capability if deemed appropriate.
13. **ACIA 2009 Funding Request (ARH #11-40038):**
As indicated at prior meetings, it was noted that the Town is eligible to receive up to \$114,586.00 for projects which will meet for ACIA guidelines for the 2009 allocation. There is also a portion of the 2006 funds, approximately \$30,000.00 remaining from the 3rd and Walmer Street project which could also be applied to a new eligible project. We will discuss options for funding eligibility with the PWTC. 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. This must be discussed in further detail as quickly as possible so that the funding could be secured.
14. **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 and will be preparing the appropriate resolutions for Council's action. Progress on this topic must be shown so as to not jeopardize existing and future Atlantic County Recreation and Open Space funds. The resolution should be on the agenda for Council's action.

15. **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. Also, we will need to discuss approving the remaining portion of the ARH proposal once the 2010 budget is adopted so that the remaining work required could be completed.

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

The Solicitor had received a letter from Mike Halter from South Jersey Gas (SJG) 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 met with Mr. Halter and the representatives from SJG on March 5, 2010, to discuss scheduling and overall scope for the site investigations and completion of the remediation process. It appears that the contaminated soil excavation will encroach the location of the existing chlorine/lime chemical room. In so doing, it appears that the structure will need to be rebuilt on a alternative location within the complex. Most likely, the placement of the new building will be between the existing location and Well #3 (closer to 12th Street). SJG will be responsible for the total cost of the replacement structure including engineering and permitting, if warranted. While preliminary remediation is occurring, the new structure will be constructed leaving the existing structure in tact to service the operation. Once the new structure is operational, then SJG will commence to work around the existing facility. It is possible that the existing facility will remain for use as storage by the Town. However, it is also possible that the existing facility may need to be demolished. If so, the demolition will be at the expense of SJG.

Throughout the negotiation process with SJG, several design sketches were composed for the relocation of this building. ARH will research the previously proposed designs and review same for applicability to the situation at hand.

We have requested a schedule from SJG so that the necessary work to be performed by the Town at the expense of SJG can be accomplished to meet their schedule. The work proposed will not have any impact on the operation of the Water Department, but may pose some temporary inconvenience due to staging and the remediation effort. It is reminded that this problem has existed for several decades and at long last the plan for remediation will be implemented per NJDEP standards.

In a related matter, the Town discussed with SJG their desire to issue an RFP for additional antenna atop the tower. It appears that there will be no conflict with the SJG operation preventing the Town from pursuing such an arrangement. On that note, it is not anticipated that SJG's operation will affect the tower stability in any fashion.

Once the schedule is provided by SJG, additional information will be conveyed to the PWTC and entire Council.

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

Phase I - Construction:

We are currently working with the Contractor to address the remaining outstanding items with the Contract. There are a few punch list items still outstanding. Once complete we can work to close out the contract and requisition the \$400,000 grant from Atlantic County. It should be noted we are discussing close out issues with Atlantic County as well. The County is scheduled to visit the site on Friday the 19th.

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):**

Public Bidding: Our office is currently working on the final design plans. Once complete we will submit to NJDOT seeking authorization to bid.

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. We have provided the PWTC with a rough cost estimate for funding consideration within the 2010 budget on applicable bond ordinances. Keep in mind the project must be awarded in early summer as per the time extension granted by the NJDOT.

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, we plan to discuss with the PWTC 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. Since the last reporting period we did take test pits with the assistance of the Highway Department to determine the existing soil characteristics for use in designing the storm sewer retention system. We will be scheduling additional field work to obtain information that will be required from Atlantic County. We are preparing the documents for submission to the Pinelands Commission.

SOLICITOR REPORT

Award quote new security system - Airport

Motion by Councilperson Lewis, seconded by Councilperson Rodio, authorize purchase order for new security system at Airport in the amount of \$.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Authorize preparation RFP solar consultant & installation WWTP

Motion by Councilperson Pullia, seconded by Councilperson Gribbin, authorize preparation RFP solar consultant & installation WWTP and advertise on website and in newspapers.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Authorize Mayor sign memorandum of understanding weather observation system Airport

Motion by Councilperson Pullia, seconded by Councilperson Rodio, authorize Mayor sign memorandum of understanding weather observation system Airport.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Authorize conveyance personal property no longer needed at airport

Motion by Councilperson Rodio, seconded by Councilperson Gribbin, authorize conveyance personal property no longer needed at airport.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Authorize Mayor sign specified use Open Space funding

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize Mayor sign specified use Open Space funding.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Award contract sulfuric acid WWTP \$1.53 per 800 gallon, inc 1400 gallon tank (1750 gal cont)

Motion by Councilperson Pullia, seconded by Councilperson Bertino, award contract sulfuric acid WWTP \$1.53 per 800 gallon, inc 1400 gallon tank (1750 gal cont).

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

Advised on status of appeal DEP parameters

Authorize direct tax assessor to admit premise at 847 S. WHP to tax abatement program

Motion by Councilperson Bertino, seconded by Councilperson Barberio, authorize direct tax assessor to admit premise at 847 S. WHP-tax abatement program.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

- Stockton update
- Solicitor Waste contract review
- PULTE update
- COAH update
- Rt. 54 contract modification

TOWN CLERK/ADMINISTRATOR REPORT

1. Report on receipt of award money JIF \$4,900
2. Approve Permanent Appointment Sewer Sup't Anthony DeCicco (no pay increase)
*due to civil service error he was never finally appointed
3. Approve Presbyterian Church Easter Sunrise Services in Veterans Park

Motion by Councilperson Barberio, seconded by Councilperson Lewis, items 2 and 3 of the clerk report 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 Lewis, seconded by Councilperson Barberio, approve bills and purchase orders.

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

#R037-2010 Authorize Farmers Market and Road Closure

RESOLUTION # 37-2010

RESOLUTION AUTHORIZING AND ENDORSING
HAMMONTON FARMER'S MARKET

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

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

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

- June 25
- July 2, 9, 16, 23, 30
- August 6, 13, 20, 27
- September 3, 10, 17, 24

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

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

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

#R038-2010 Authorize Good Friday Spanish Procession and Road Closure

RESOLUTION # 38-2010

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

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

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

WHEREAS, **April 2, 2010, at 3:00 p.m.** is the scheduled date for the Spanish Community Good Friday Procession; and

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

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

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

1. Filing of necessary insurance certificates by St. Joseph Church as required by the Town of Hammonton.
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.

#R039-2010 Authorize Refund Water & Sewer Escrow Accounts (approved by ARH)

RESOLUTION #039-2010

RESOLUTION AUTHORIZING REFUND FOR WATER AND SEWER ESCROW ACCOUNTS THAT ARE NOW CLOSED

WHEREAS, the following water/sewer escrow accounts can be closed and the money can now be refunded

WSE23	VICTORY BIBLE CHURCH	\$ 70.00
WSE34	SIRACUSA HOMES	\$ 37.50
WSE38	ALLEN'S PROPANE	\$ 31.50
WSE40	JOSEPH BERENATO	\$ 265.00
WSE43	SOILTECH/MICHAEL HIGGINS	\$ 500.00
WSE46	MINOTOLA LOAN CENTER	\$ 240.00
WSE48	JEMCO	\$ 2.50
WSE49	ON SITE STORAGE	\$ 867.50
WSE51	HOME DEPOT	\$1,944.15
WSE58	RT 206 INC	\$1,530.00
WSE63	EGG HARBOR RD	\$ 515.00
WSE66	KMD	\$ 700.00
WSE68	AT&T	\$ 357.50
WSE70	MACRIE	\$ 25.00

WHEREAS, Audrey Boyer has reviewed same with the town engineers

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 Audrey Boyer, Finance Dept. is hereby authorized to refund the above accounts.

#R040-2010 Approve Tax Resolution

#R 40-2010

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
2813-12	Perez	113 Horton St.	692.21	Tax	Refund 1st Amer Tax Exempt	Rosie
2101-4.09	Shannon	648 Anderson	158.43	Sewer	Lien was Redeemed	Rosie
2101-4.09	Shannon	648 Anderson	140.08	Water	Lien was Redeemed	Rosie

WHEREAS, the above amounts have been corrected in the utilities screen's and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approval by Mayor and Council; and

WHEREAS, if any of above referenced are not approved by Mayor and Council a retraction of same will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton authorize and direct the tax collector to take the above said action.

#R041-2010 Temporary Emergency Appropriations (made prior to adoption)

#R042-2010 Amending 21-08 Local Channel 9

RESOLUTION # 042 -2010
A RESOLUTION AMENDING #R21-2008

ADOPTING A POLICY FOR THE OPERATIONS AND PROGRAMMING OF THE GOVERNMENT
ACCESS CHANNEL OF THE TOWN OF HAMMONTON

WHEREAS, the Town of Hammonton has been provided with a Government Access Channel currently known as Channel 9 by Comcast Cable Provider;

WHEREAS, the Government Access Channel is the property of the Town of Hammonton and jurisdiction over its usage is vested in the Town Clerk/Administrator as designated by the Governing Body of the Town of Hammonton; and

WHEREAS, the Governing Body wishes to adopt the established policy for access to the Channel as follows:

The town access channel shall operate on Comcast Channel 9 (or such alternate channel which replaces Channel 9 in the future). It shall be the goal of the town access channel to provide governmental programming to the citizens of the Town of Hammonton. Live and recorded programming will be utilized when available. Network programming or an Alpha-Numeric Information Service will run during all other hours.

I. PURPOSE

The fundamental purposes of the town access channel are as follows:

1. To promote the education of the Town's citizens concerning local government by broadcasting meetings of the Governing Body of the Town of Hammonton, and their sub-committees, commissions and boards.
2. To contain informational programming regarding locals schools having grades K-12, including, but not limited to, school cancellations due to inclement weather, event calendars, sporting events in which school teams participate, productions of plays and musicals, scholastic contests and any other event involving students sponsored by the school.
3. To inform the citizenry at large about programs and public services provided by Town departments and Town-sponsored entities.
4. To promote the education of citizens by presenting educational and cultural programs beneficial to the Town's citizens.
5. To explain the opportunities for citizen participation in programs and services.
6. To provide information on public health, safety and welfare issues.

II. POLICIES AND RESPONSIBILITIES

1. The use of the town access channel and its facilities shall be reserved solely for informational and educational programming created by town departments, boards, commissions, town-sponsored entities, local schools having grades K-12, and non-profit local organizations that promote arts, cultural, educational, athletic, health and public safety interests.
2. All programming submitted by Town departments, boards, commissions, and town-sponsored entities shall be first approved by the appropriate Department Head or Board Chairperson and be submitted to the Town Clerk/Administrator by such Department Head or Board Chairperson only.
3. All programming submitted by the local schools shall be first approved by the school's written designee and be submitted to the Town Clerk/Administrator by such designee only.
4. The Town of Hammonton reserves the right to limit the total amount of programming.
5. The Town of Hammonton through the Town Clerk/Administrator shall have the authority to deny approval of materials if any submission is contrary to the within policy or if it is deemed not to be in the public interest.
6. When material is determined to be unsuitable for use on the channel, the submitting agency may be notified.
7. The Governing Body of the Town of Hammonton shall review any appeal of the Town Clerk/Administrator's decision to deny materials submitted for broadcasting.
8. The Town shall be held harmless from any and all claims and demands, which arise as a result of programming.
9. The views and opinions expressed on the town access channel may not necessarily reflect those of the Town.
10. All town access channel productions (i.e. public meeting coverage and town produced programs) produced by the town access channel will be under the copyright control of the Town of Hammonton unless one or more of the following apply:
 - a. Pre-existing copyright work within a production (i.e. school musical performance) pre-exists the production of the work, establishes a different, related entity as the copyright holder.
 - b. An agreement is signed, prior to production of the work, granting ownership of copyright to a different, related entity, such as the content creator or the host or the moderator of the program.

Nothing in the above paragraph, as regards to public meetings, is intended to excuse the Town of Hammonton from the requirements of the State of New Jersey's Open Public Records Act (P.L. 2001, c.404).

III. PROHIBITIONS

The following is a list of content not allowed on the town access channel:

1. Any advertising messages on behalf of a political candidate or measure on a ballot. EXCEPT THAT: This shall not preclude the presentation of official materials of programming by the town access channel which includes the opportunity for all candidates for a particular elective position or proponents of all sides of any issue to appear in an equitable manner.
2. Programming policy shall be to provide direct non-editorial information to the citizens of the Town of Hammonton concerning the operations and deliberations of their town government.

The town access channel is not intended as a political forum, nor as a mechanism for building support for a particular policy, program or issue.

3. Programming containing content advancing one religion over another (or otherwise violating the Establishment Clause of the U.S. Constitution).
4. Unsolicited programming from sources not affiliated with the parties described herein.
5. Any sponsorship or promotion by a commercial entity, vendor or organization.
6. Any product or service advertising or promotional material.
7. Any material which may be considered obscene or offensive to community standards.
8. Any information concerning an illegal lottery.
9. Any material which constitutes libel, slander, invasion of privacy, violation of trademark, or copyright, or which might violate any local, state or federal law, including FCC regulations.

IV. EDITING POLICY

1. Public Meetings – Any public meeting cable-cast shall not be edited, except that periods of recess maybe edited out, as to content or subjected to editorial comment. Meeting coverage shall be from gavel to gavel. Insertion of character generator, computer graphic information, and visual aids pertaining directly to Council or other meeting agenda is allowed.
2. Departmental Programs – Any programming prepared by or provided by an individual town department may be modified or edited as appropriate to the policies governing channel use, or as dictated by scheduling and manpower requirements.
3. Video Bulletin Board – Informational messages programmed for use on the character generated bulletin board shall be edited for clarity and to maximize the capacity of the system.

V. PROGRAM SOURCES

Town access channel programming will come from the following sources:

1. Live Coverage – Live coverage of public meetings will be provided (whenever possible). This will consist of cable-casts of Town Council meetings and other public meetings and events of community interest.
2. Tape Delayed Broadcasting – Some public meetings, town functions, and special events will be taped for broadcasting later. Repeat presentation at times more convenient to the public will be given for Town Council and other public meetings and events.
3. Character Generated Programming – Town information, messaged and press releases for inclusion on the Town Video Bulletin Board will be edited to conform to the space and technical limitations of the character generated system.
4. Town Produced Programming – Programs will be produced by the town access channel staff, illustrating the functions or operations of some unit of Town government. Any Town department may submit requests for programming development. Such programming must be consistent with the intent of this policy statement and will be integrated into the overall public information purposes of the municipal access channel. Programming of this type is subject to the approval of the Town Clerk/Administrator.
5. School Produced Programming – Programs may be produced by local schools having grades K-12.

VI. PROGRAM PRIORITIES AND SCHEDULING

Scheduling the use of the town access channel time shall be the responsibility of the Cable Television Coordinator. A programming schedule/guide of the town access channel will be done in advance as practical. The schedule/guide will be publicized on the Town Video Bulletin Board. Scheduling shall be performed on an equitable and non-discriminatory basis. Scheduling will be in accordance with channel use priorities (listed below) and the availability of equipment and resources.

1. Emergency Override Notification – To provide citizens with information and procedures in the event of emergency situations (severe weather, civil emergencies, failure of town service or systems, hazardous waste et al).
2. Public Meetings – To help increase and encourage citizen awareness and participation in public policy decision making. Town Council meetings and work sessions will be given first priority.
3. Function and Operation of Town Services – To illustrate and describe the functions, operations, and services of some unit of the Town government in order to increase citizen understanding of their government and its services.
4. Topics of Interest to Hammonton – To provide an outlet for discussion from a town viewpoint of issues that bear upon the Hammonton community or upon specific audiences or neighborhoods, including the impact of Atlantic County, regional, state and federal policies on the Town and its residents.

VII. VIDEO BULLETIN BOARD

1. To provide calendar or information messages to citizens about programs and public services offered by the Town and its departments.
2. Character generated information and messages in the form of a Video Bulletin Board (herein VBB) shall be programmed in the town access channel at predetermined times and intervals designated by the Cable Television Coordinator.
3. The objective of providing these VBB messages are identical to those stated in the PURPOSES section of this policy.
4. Information submitted to the town access channel is subject to the editing as defined in the EDITING section of this policy.

An approved entity seeking to have its material aired shall be required to submit same to the Town Clerk/Administrator at least ten (10) days prior to the desired airing date, except in cases of emergency. This provision is intended to regulate Video Bulletin Board submissions only and does not pertain to live broadcasts.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that this policy shall be adopted by the Town of Hammonton; and

BE IT FURTHER RESOLVED that any entity requesting access must comply with said policy as a condition to access.

Motion by Councilperson Gribbin, seconded by Councilperson Bertino, resolution 37 through 42 be adopted.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y
Pullia - Y
Rodio – Y (abstain on 39-10 only)
Mayor DiDonato – Y (abstain on 39-10 only)

Mayor DiDonato declared the motion carried.

PUBLIC HEARD

Mr. Adolph – Traditions at Blueberry Ridge

Mr. Adolph stated the tremendous amount of rainfall is adding to the overflow of basins at Traditions at Blueberry Ridge. He requested the creation of another task force to share information and input of locals on the next phase at Traditions at Blueberry Ridge.

Dan Santora – Old Forks Road

Mr. Santora stated they have been through two Mayor's and there is still no resolution to the basin problems at Blueberry Ridge. He stated someone cut a hole through the swale and the water is coming right through and the overflow is draining onto the Santora property. He posed several questions to Mayor and Council and Solicitor concerning unresolved problems. He read an article from Mr. Cassetta.

Solicitor responded to Mr. Santora's questions. He also stated that solving basin problems is not unique to Traditions at Blueberry as there are basin problems in several other municipalities. Mr. Howell also responded that he has not billed for any time spent on the Traditions at Blueberry or the basin.

Mayor DiDonato stated, if he would have to guess, the article Mr. Santora is referring to is written on an Egg Harbor Township basin, not a basin located in Hammonton.

Charles Byrne – S. Washington Street

Mr. Byrne questioned what is the plan for the Traditions at Blueberry drainage basin? And if something is done to the basin, will it be public record?

Solicitor responded we are in consultation with engineers concerning the resolution of the drainage basin and yes, any plans will be made public.

Frank Damiano – Plymouth Road

Mr. Damiano questioned the letters he received concerning the B2 zone amendment and questioned how will it affect him?

Solicitor explained how the amendment to the B2 zone will allow more flexibility to what a property owner can do to their property.

Mark Santora – Old Forks Road

Mr. Santora spoke concerning the overflow of water from the basin at Traditions at Blueberry. He once again gave some history on the problem.

A discussion was held between Mayor and Council, the Solicitor and Mr. Santora concerning the drainage problem.

Michael Merlino – Anderson Avenue

Mr. Merlino thanked everyone involved in the resolution of a water problem at his home recently.

Anthony Varsaci – 13th Street

Mr. Varsaci advised council of a property owner who built a pole barn and is using same as a winery.

The Solicitor questioned what type of help Mr. Varsaci is seeking from council this evening?

Mr. Varsaci asked Mayor and Council to look into his complaint as to how a certificate of occupancy was issued for this property, if it was indeed issued?

Solicitor responded he will certainly look into same.

Approve 3rd Floor Office for Fire Chief

Mayor DiDonato questioned if the governing body has any objections to authorizing the Fire Chief to use 3rd floor office with stipulations as designated in letter approving same. No one objected.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk

Minutes approved by Susanne Oddo, Town Clerk/Administrator