

CM 1/25/10

REGULAR MEETING OF COUNCIL
Held in Town Hall Council Chambers
100 Central Avenue, Hammonton, N.J.
January 25 , 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 - P

Gribbin - P

Lewis - P

Pullia - P

Rodio - P

PRESENT ALSO

Brian Howell, Town Solicitor

Enter Into Closed Session

#R 15A-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. Closed Session Procedure (review & update new members of council)
3. Report of employees on FMLA/NJ FLA & reason for same.
4. Report of Suspension – Laborer – Highway
5. Atlantic/Innova Tax Appeal (Attorney/Client privilege)
6. Police Chief – Request of modification of vacation carry over policy
7. Former town dump on second road: potential clean up obligation
8. Truck Masters tax abatement application: attorney/client privilege
9. Stockton/town joint participation agreement: attorney/client privilege
10. Airport Thru the Fence Agreement

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 Bertino, seconded by Councilperson Rodio, enter into closed session.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

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

Gribbin - P

Lewis - P

Pullia - P

Rodio - P

PRESENT ALSO

Brian Howell, Town Solicitor

Bob Vettese, Town Engineer

PLEDGE OF ALLEGIANCE

Moment of Silence

Mayor DiDonato requested a moment of silence for former Councilman Andrew Berenato who passed away recently. He spoke of the accomplishment of Mr. Berenato and gave his condolences to his family.

PUBLIC NOTICE

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

PUBLIC HEARD FOR AGENDA ACTION ITEMS

No one desired to be heard.

APPROVAL OF MINUTES

Motion by Councilperson Bertino, seconded by Councilperson Rodio, the following minutes are approved.

ROLL CALL – Open and Closed Sessions December 21, 2009

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Abstain

Lewis - Y

Pullia - Abstain

Rodio – Y

Mayor DiDonato – Abstain

Mayor DiDonato declared the motion carried.

ROLL CALL – Organization Meeting January 1, 2010

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 #001-2010 Amend Purchase Procedure
Placed in full in minutes of January 1, 2010

Motion by Councilperson Lewis, 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 Rodio, seconded by Councilperson Gribbin, 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

Report on Resolution 22 under New Business amending policy use of town vehicles and parking

BUSINESS & INDUSTRY-Councilperson Gribbin

Report on meetings for Arts & Culture, Chamber, and Revitalization

Report on upcoming meeting with Solicitor concerning Comcast contract and local channel 9

EDUCATION-Councilperson Bertino

Report on meeting concerning school resource officers and cost

PUBLIC WORKS & TRANSPORTATION-Councilperson Rodio

Referred his report to Engineer report action item

Updated council on 4th Street and Cedar Branch Stream

Advised public of bulky pickup January 1-5 and brush pickup January 8-12

Reported on Hammonton Airport

LAW & ORDER-Mayor DiDonato

Report on meeting with Police Chief and Sergeant Friel concerning safety and staffing

Reported on new K9 being obtained with donated funds

QUALITY OF LIFE – Councilperson Lewis

Referred to Solicitor for update on Shade Tree Ordinance

Solicitor advised ordinance will be amended to better address trees between sidewalk & curb

Referred to Councilman Barberio for the following:

Councilman Barberio reported onsite meeting at Boyer Avenue rec fields with Frank LaSasso

Councilman Barberio reported on upcoming meeting with Env. Comm. & Forestry Services-grants

WATER & SEWER – Councilperson Pullia

Referred to Engineer report for action item

Updated council on Bellevue Avenue project

ENGINEER REPORT

PUBLIC WORKS ACTION ITEMS

1. Micro-Surfacing Project 2010 (Proposal 2010.0011)

As supplied by the Mayor, we have reviewed the list of possible roadways that could be considered for a microsurfacing program. In order to further evaluate the roadways, we would need to complete various tasks; such as meeting with the Town Superintendents, discussion with the State Contractor, prepare cost estimates and review the potential for funding options. Some of these items we have already started to keep the project moving. We have prepared a proposal (a copy of which is attached) for Council's consideration to complete the tasks described therein. We would estimate that cost to complete those tasks would be REVISED \$1,600.00. We will discuss the proposal at the upcoming PWTC meeting and, if agreeable, present same to Council for consideration at Monday's meeting.

Motion by Councilperson Rodio, seconded by Councilperson Pullia, approve ARH REVISED proposal totaling \$1,600.00 to complete the necessary work with regards to micro-surfacing project.

ON THE QUESTION:

Councilman Bertino requested the engineer to forward to Mayor and Council all street names proposed in the micro surfacing project.

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. 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.

Prior to closeout of the project, we will need to review the amount of funds that are eligible for reimbursement to the Town with the Chief Financial Officer. Reimbursement would be through the following two sources:

1. Atlantic County Interlocal Services Agreement (drainage and parking)
2. Construction Escrow Theriac Enterprises or Twenty First Century Oncology (sidewalk construction)

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

Optimization Report -

The latest information that we have on this topic is the receipt of an email from Ed Wengrowski of the Pinelands Commission. Mr. Wengrowski indicates that his report was placed on his superior's desk on January 5, 2010. The ultimate review will most likely come from Larry Liggett of the Commission. We await his findings.

Part of the optimization strategy allowed for the operator to load the facility continuously without adhering to the original permit requirement that prevented reloading the trenches until 7 days after they were fully dry. From late November, the operator has been sending over 80% of the daily flow to the Boyer Avenue facility without any difficulty. The longer the increased discharge is conveyed to the site, the more promising it becomes that the site can accommodate closer to its design expectations. Continued evaluation is warranted, however, the progress is measurable and favorable thus far.

Lee Rain – Trial Application -

Due to some difficulties with the monitoring devices installed by Lee Rain, the trial has not been consistently operative. The technical difficulties should be resolved according to the contractor shortly, whereby full operation of the trial should be in place by the latter part of this month.

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

At this point, we are waiting for the official return of the executed contracts and bonds from the Contractor. Preliminary meetings have been established with the contractor in an effort to identify a construction schedule. Obviously, weather will be a factor particularly as it relates to the opening of asphalt plants since this roadway must be passable after each construction day. Once a schedule is defined, it is the intent of the PWTC to conduct a public information session so that all affected parties are knowledgeable about the project, its impacts and inconveniences that may result. As much advance notice of the schedule and the detours will be provided through meetings, public access TV, websites, fliers, letters, etc. Once a definitive time frame is established and all procedural aspects from the contractor are secured, we will announce a projected start time.

The bid was awarded at the November 23, 2009 subject to the availability of funds that will be in place after the twenty day estoppel period following the second reading of the Ordinance. Paramount Enterprises, at a cost of \$1,763,512.50 was the successful contractor. The estoppel period ended on December 13, 2009. In anticipation of this event, the contracts were sent to the Contractors for execution and the posting of bonds. We met with the Contractor to preliminarily discuss the proposed approach to the project. At this time we are waiting for Contracts to be signed and returned to our office. The Contractor has been notified that Contracts shall be delivered to our office by January 26, 2009 or they may be in default of project specifications and legal action may be required.

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 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 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 spring (weather permitting).

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

Major Modification Application:

Mayor and Council have been apprised that the release for an increase in diversion lies with the Pinelands Commission. The Town had previously allowed the Pinelands additional time as not to force them into rendering a decision before they were ready. In so doing, the Town was hopeful that the Pinelands report would be available during the month of January. Recently, the Mayor is in receipt of a letter from the Pinelands clarifying 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. We will seek to obtain a copy of this report before it is scheduled at the March 5, 2010 meeting. The Pinelands has reinforced their previous consent that if there is any urgent matter requiring an increase in diversion, they will discuss the application with us prior to completion of their findings.

Future Well:

Throughout the search for a suitable location for the drilling of the future well, several of the opportunities have not proved successful. There remains one additional opportunity that will be explored prior to looking at the Town owned property within the industrial/business park. We hope to have a conclusion on this one remaining opportunity for presentation to the PWTC at an upcoming work session.

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

The newly appointed members of the PWTC are scheduled to discuss this matter and determine the viability of this project. The issues regarding project scope, options and funding will be concluded hopefully within the next several weeks.

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

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

PUBLIC WORKS INFORMATION ITEMS

8. **Central Avenue Sidewalk Continuation (11-40027.02)**

We have met with representatives from Atlantic County, along with having an initial discussion with the Pinelands Commission related to project sidewalk improvements. Before proceeding further, 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.

9. **Wescoat Property – Site Investigation, 3rd & Walmer Streets, B. 3001, L. 41 (#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. Contained in the memo was a brief summary of the findings obtained from the sampling completed at the project site. 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. We will discuss this information with the PWTC in further detail to obtain their opinion on how to proceed. 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.

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

The Contractor has completed the construction of the ADA curb, sidewalk, drainage and roadway improvements at the 3rd Street/Walmer Street intersection. The final payment has been made to the contractor and we are in the process of completing the documents to request reimbursement of the eligible portion of the project cost from the ACIA once the cancelled checks are received by the Town from the Contractor.

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

As noted at the prior Council meeting, the County Engineer indicated that they applied for funding assistance to resurface First Road, County Route #688, possibly extending from Twelfth Street, Route #54 to Weymouth Road, County Route #640. The County has recently directed a letter to the Town informing the Mayor and Council of their possible roadway resurfacing project and time frame for completion of same. It would be important for the Town to complete whatever water and sanitary sewer extensions and/or replacements as quickly as possible, because 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 constructed. The PWTC will discuss this matter in further detail and provide 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.

12. **ACIA 2009 Funding Request (ARH #11-40038):**

After being denied from the ACIA related to the Town's request for funding assistance for improvements at the Senior Center Complex at the Lake Park, the Town has also received notice that the Town is eligible to receive up to \$114,586.00 for projects which will meet for ACIA guidelines for the 2009 allocation. There is also a portion of the 2006 funds, approximately \$30,000.00 remaining which could also be applied to a new eligible project. We will discuss the possibility of submitting a proposal for funding consideration with the PWTC. This will include work completed to date on the prior application requested to be submitted by the Mayor and Town Council for the Lake Park Senior Center. We will discuss other options for funding eligibility with the PWTC, but most likely we will be limited to the specific eligible area of the Town. We will provide the proposal for consideration once the PWTC selects a project for funding. We will be directed by the PWTC and Council's recommendation.

13. **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 met with a number of the property owners related to their interest in participating in this program and has been in contact with Ranae Fehr related to the various options for consideration. The Solicitor will provide an update to Council on this matter. As discussed with the County, it may be wise to request their consideration related to the reallocation of a portion of the funds where property owners do not desire to sell their property and concentrate on the properties where a willing seller exists and proceed with appraisals on these properties. In order to proceed on the remaining properties of interest, the Council should authorize the Solicitor to proceed with receiving appraisals on said properties. The Solicitor will review the list of properties with the appropriate Town officials to seek this authorization. Progress on this topic must be shown so as to not jeopardize existing and future Atlantic County Recreation and Open Space funds.

14. **Fourth Street Reconstruction (ARH #11-40034):**

NJDEP BSDW Permit: As previously reported we have made a submission to NJDEP seeking approval for the installation of a 12" DIP water main. The reviewing agent has requested additional information related to the intersection of Fourth Street and Pleasant Street. We have made these revisions and resubmission to NJDEP. We are currently waiting for their review comments and hopefully the permit for same.

Funding: It should be noted the NJDOT has announced funding allotments for FY2010. The Town will be getting an additional \$180,000 this year. In total the Town has \$485,000 from NJDOT (FY2008 \$145,000 + FY2009 \$160,000 + FY2010 \$180,000). These funds can be used on the roadway drainage and concrete work proposed for the project. The cost of the water main will need to be funded by the Town and the appropriate financing established in the 2010 budget.

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

Phase I – Construction:

As requested we have sat down with the Contractor to discuss the costs provided for the extra work requested and completed. At this time the Contractor is reviewing all previously submitted costs. Once the Contractor is finished reviewing their numbers and provides applicable submittals to our office, we will present change orders for council to consider.

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

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

16. **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.

17. **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 to obtain information that will be required for the Atlantic County review and soil borings for the storm water management facilities that will be required by Pinelands.

SOLICITOR REPORT

ATV Update (reviewing town proposed ordinance with State law)
Renewal of Tax Abatement Ordinance per law- refer to Administration Committee for review
Authorize Solicitor to retain appraiser to assist in INNOVA tax appeal

Motion by Councilperson Bertino, seconded by Councilperson Gribbin, authorize a purchase order not to exceed \$3500 to Lee Romm to assist in INNOVA tax appeal.

ROLL CALL

Councilpersons:
Barberio - Y
Bertino - Y
Gribbin - Y
Lewis - Y

Pullia - Y
Rodio – Y
Mayor DiDonato – Y

Mayor DiDonato declared the motion carried.

Solicitor report continued

Authorize Mayor to sign NJM Developers Agreement

Motion by Councilperson Rodio, seconded by Councilperson Barberio, authorize Mayor to sign NJM Developers Agreement.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Solicitor report continued

Award Quote – Repair Roof Water Department
Seiler Construction \$15,840.00
Wilward Construction \$16,650.00

Motion by Councilperson Pullia, seconded by Councilperson Lewis, authorize a purchase order to Seiler Construction in the amount of \$15,840.00 for roof repair at Water Department.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Solicitor report continued

Authorize purchase order \$3500 to ARH for remediation review (Berenato & Cioffi) former town dump

Motion by Councilperson Bertino, seconded by Councilperson Barberio, authorize a purchase order to ARH in the amount of \$3500 for remediation review of former town dump.

ROLL CALL

Councilpersons:
Barberio - Y

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

Mayor DiDonato declared the motion carried.

Solicitor report continued
#R015B-2010 NPP PROGRAM AND BUDGET

Motion by Councilperson Gribbin, seconded by Councilperson Barberio, the resolution 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.

Solicitor report continued
Authorize rental of fence-skinner building

Motion by Councilperson Rodio, seconded by Councilperson Barberio, authorize a purchase order in the amount of \$2000 for one year rental of fence to secure skinner building property.

ROLL CALL

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

Mayor DiDonato declared the motion carried.

Solicitor report continued
Authorize Bid SCADA system-water department

Motion by Councilperson Pullia, seconded by Councilperson Bertino, authorize bid for SCADA System at Hammonton Water Department. Funding in place by Ord 21-08.,

ROLL CALL

Councilpersons:
Barberio - Y

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

Mayor DiDonato declared the motion carried.

Solicitor report continued

B2 Zone Amendment-Refer to New Business

*Brian Howell, Town Solicitor, read into the record the condensed version of the proposed ordinance which will be finalized and copied to Mayor and Council prior to February 22 Regular Meeting and advised that Atlanticare will pay for cost of required mailings.

Amend Shade Tree Ordinance-reported under Councilperson Lewis Committee report

Open Space Appraisals

Motion by Councilperson Barberio, seconded by Councilperson Lewis, authorize Solicitor to obtain appraisals for open space, subject to 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.

Solicitor report continued

Canoe Club policy on organizations and funding-Refer to Quality of Life Committee for review

Vacation Schedule Modification-Frank Ingemi

Motion by Councilperson Bertino, seconded by Councilperson Pullia, authorize the payroll department to carry over 10 - 2008 vacation days to the 2010 vacation schedule for Frank Ingemi, for one time only, due to unforeseeable extreme circumstances that inhibited him from taking this pre scheduled vacation time during the month of December 2009.

ROLL CALL

Councilpersons:

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

Mayor DiDonato declared the motion carried.

Solicitor report continued

Authorize Solicitor enter into negotiations for Stockton/Hammonton proposed project

Motion by Councilperson Gribbin, seconded by Councilperson Rodio, authorize the Solicitor to enter into negotiations for proposed Stockton/Hammonton project.

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 REPORT

Thank you

Mayor DiDonato thanked everyone who reached out to him and his family this past year. He also thanked all citizens and volunteers in our community.

TOWN CLERK/ADMINISTRATOR REPORT

Report Voting District 5 Change

1. Voting District 5 Polling Place has been moved from Highway Department to Hammonton Canoe Club, 100 Sports Drive beginning year 2010. All proper officials have been notified in this regard.
2. Authorize Bid Sketa System - Water Dept.-previously approved under Solicitor report

APPROVAL BILLS & PURCHASE ORDERS-emailed and placed in agenda packets

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y (recused on ML Ruberton bills only)

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

COMMUNICATIONS

Authorize Refund of Planning Board Escrow Accounts - AN Construction, William Lemons Esq.

Motion by Councilperson Gribbin, seconded by Councilperson Lewis, authorize release of escrows for AN Construction.

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

NEW BUSINESS-ORDINANCES

Ordinance #002-2010 Mandated JIF Update Employee Handbook

ORDINANCE # 2 -2010

AN ORDINANCE APPROVING ATLANTIC COUNTY MUNICIPAL JIF
UPDATES TO EMPLOYEE HANDBOOK

I. PURPOSE

The Town of Hammonton desires that all it's employees recognize that polices and procedures are adopted to insure an efficient, fair, safe, and enjoyable work environment. Written rules are important to create that environment. It is the policies, procedures, rules and regulations outlined in the Employee handbook as the official guideline which employees must adhere to. This Handbook is not intended to be construed actually or by implication as an employee contract and does not superseded NJ CSC rules and regulations or any other State Authority. Though we cannot include everything in the employee handbook, we often make reference to Town of Hammonton Ordinances and Resolutions.

II. MODIFICATION

As laws and society change, there will always be the need for modification to the policies and procedures of the town. Any modification to the handbook, once adopted, shall be done with the same formality as it's original creation. In an effort to advise town employees the employee handbook is located in its entirety on GeneralCode.com website under New Jersey and then Hammonton.

III. This Ordinance shall take effect upon approval and publication according to law.

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

Ordinance #003-2010 Amend Chapter 175 Hospitals

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Proposed ordinance placed in agenda packets and summary read in full under Solicitor report.

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

ROLL CALL

Councilpersons:

Barberio - Y

Bertino - Y

Gribbin - Y

Lewis - Y

Pullia - Y

Rodio - Y

Mayor DiDonato - Y

Mayor DiDonato declared the motion carried.

RESOLUTIONS

#R016-2010 Cruisin Mainstreet Event and Road Closure

RESOLUTION #016-2010
RESOLUTION AUTHORIZING AND ENDORSING
CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT

WHEREAS, MainStreet Hammonton Organization has and continues 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

WHEREAS, Numerous Town residents have requested two Cruisin' MainStreet events each year; and

WHEREAS, Friday, May 21, 2010 (rain date May 22) is the scheduled date for the MainStreet Hammonton Annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Friday, September 10, 2010 (rain date September 11) is the scheduled date for the MainStreet Hammonton Semi-annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 4:30 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;

N. Egg Harbor Road between Rt. 54 and Pleasant Street;

Orchard Street Railroad Crossing;

Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;

East side of Rt. 54 between Third Street and Egg Harbor Road;

Both sides of Railroad Avenue between 12th Street and Orchard St;

Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

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WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

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 May 21, 2010 (rain date May 22) and the September 10, 2010 (rain date September 11) "Cruisin' Main Street" events, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

#R017-2010 Approve Contract Pilot LED Streetlight Installation

RESOLUTION # 17-2010

A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING
BETWEEN ATLANTIC CITY ELECTRIC COMPANY AND TOWN OF HAMMONTON
FOR PILOT LED STREETLIGHT INSTALLATION

WHEREAS, the Town of Hammonton is interested in participating in a pilot led streetlight installation program with Atlantic City Electric; and

WHEREAS, the attached memorandum of understanding has been reviewed and approved by the Town Solicitor;

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 memorandum of understanding with Atlantic City Electric Co. is approved;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the memorandum of understanding.

#R018-2010 Authorize Transfer Liquor License (reduction of premise)

#R18-2010

Authorizing Transfer of Liquor License (Reduction of Premise)
Hammonton Discount Liquor and Bar

WHEREAS, an application has been filed for a place to place transfer (reduction of premise) of Plenary Retail Consumption License 0113 33 011 004 Hammonton Discount Liquor and Bar, 18 Railroad Avenue;

WHEREAS, the submitted application form is complete in all respects, transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Town of Hammonton does hereby approve the place to place transfer (reduction of premise) of the aforesaid Plenary Retail Consumption License,

CM 1/25/10

and does hereby direct the Town Clerk to endorse the license certificate to reflect same effective the date of this resolution.

#R019-2010 Amend R119-09 Specialized Services for WWTP

#R 19 -2010

A RESOLUTION AMENDING RESOLUTION 119-09
AWARDING PROFESSIONAL/SPECIALIZED SERVICES YEAR 2010

WHEREAS, Resolution 119-09 adopted on 10/26/09 included a one year contract for Invensys/Foxboro for IA System Maintenance and Repair in the amount of \$12,000.00 for WWTP; and

WHEREAS, the Wastewater Treatment Plant Superintendent has now recommended to award a three year contract for this specialized service as a cost savings to the Town of Hammonton as follows:

Invensys/Foxboro	2010	\$6,837
	2011	\$7,042
	2012	\$7,042

WHEREAS, funds are available under the above listed budget appropriations, and

WHEREAS, N.J.S.A. 19:44A-20 provides for an open and fair process through requests for proposals;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Town of Hammonton hereby authorizes a 3 year specialized services contract with Invensys/Foxboro totaling \$20,921.00

#R020-2010 Tax Resolution

#R 20-2010

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
2804-2	Mazza	104 S Egg Harbor	161.20	Tax	Cancel, Purchased by TOA	Rosie
2504-6	525 12th St.	525 12th St.	50.75	Water	Refund CCTS Lien was pd	Rosie
2504-6	525 12th St.	525 12th St.	146.87	Sewer	Refund CCTS Lien was pd	Rosie
2805-10	Kramer	109 Peach St.	185.65	Sewer	Refund CCTS Lien was pd	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.

#R021-2010 Transfer Reserve Funds

#R 21 -2010

CM 1/25/10

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

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

FROM: IN CAP	
Police S&W (9-01-25-119-100)	\$7,000.00
TO: IN CAP	
Police OE (9-01-25-119-200)	\$7,000.00
FROM: IN CAP	
Gasoline OE (9-01-31-11E-200)	\$19,000.00
TO: IN CAP	
Highway OE (9-01-26-123-200)	\$19,000.00
FROM: IN CAP	
Gasoline OE (9-01-31-11E-200)	\$11,370.00
TO: IN CAP	
Highway S&W (9-01-26-123-100)	\$11,370.00

#R022-2010 Amend Employee Handbook Policy Employee Parking and Use of Town Vehicles

#R023-2010 Authorize Club License MB Taylor Lodge

R# 23 -2010

RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON,
ATLANTIC COUNTY, NEW JERSEY,
AUTHORIZING THE ISSUANCE OF ABC LICENSE
BEGINNING JANUARY 25, 2010 AND EXPIRING JUNE 30, 2010 NEW CLUB LICENSE

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

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

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

0113 31 029 001 MB Taylor Lodge

Location: 205 Central Ave.

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

Motion by Councilperson Lewis, seconded by Councilperson Gribbin, resolutions 16-23 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.

PUBLIC HEARD

Mark Santora - Old Forks Road

Mr. Santora questioned if the new drainage basin remediation plan is ready to view?

Solicitor responded no.

Mr. Santora then advised Mayor and Council that the water drainage problem he has been speaking of at each council meeting is now affecting his trees. He then thanked Mayor and Council for their time and returned to his seat.

Tony Gata - Central Avenue

Mr. Gata stated he had in hand a petition with approximately 50 names of residents in his area who would like to see something done about the speed limit on Central Avenue. Since its recent paving both vehicles and tractor trailers have been speeding and he fears an accident.

Mayor DiDonato questioned what Mr. Gata would like council to do as this is a county roadway and Mayor and Council can request the county to lower the speed limit by resolution with supporting traffic study.

Mr. Gata responded he is not sure exactly what to do and complimented the police chief for placing police officers to observe this area.

Councilman Rodio questioned are most of the speeders locals or truckers?

Chief Frank Ingemi stated that unfortunately State and County roadways are considered "thru ways" and there isn't much that can be done for those exceeding the speed limit by 5-6 mph. He has placed more patrol in the area and placed a traffic sign that shows the speed of the driver to encourage those who are speeding to slow down. He also stated that currently he does not have the manpower to keep an officer on Central Avenue all the time as the officer will have to take emergency calls that come in. Chief Ingemi also stated that upon investigation of the speeders in this area, he found that most of those exceeding the speed limit were residents of the area.

Mr. Gata disagreed with Chief Ingemi stating that in Connecticut when someone is driving over the speed limit they are ticketed.

Mayor DiDonato questioned would it be possible to purchase a camera that would work with the speed sign and actually take a picture of the license plate of the speeder?

Chief Ingemi stated he is not certain if this is a legal practice yet.

MEETING ADJOURNED

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

Minutes recorded by April Boyer Maimone, Assistant Clerk