

Regular Meeting of Mayor and Council April 24, 2023
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:
Furgione -
Gribbin -
Oliva -
R. Rodio-
S. Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, Public Works Manager

EXECUTIVE SESSION Resolution #044-2023

RESUME REGULAR MEETING-ROLL CALL

Councilperson:
Furgione -
Gribbin -
Oliva -
R. Rodio -
S. Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Robert Vettese, Public Works Manager
Mark Hermann of ARH, Town Engineer

PUBLIC NOTICE

Notice of this meeting has been posted and given to official newspapers. Please familiarize yourselves with the fire exits to the right and rear of the Council Chambers. Please do not proceed beyond the front benches without invitation from the Mayor to do so. Also, each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Regular Minutes March 27, 2023
Executive Minutes March 27, 2023

PRESENTATION

- Proclamation given by Deputy Mayor Gribbin
- Presentation Mainstreet

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing of Ordinance #004-2023- Re-appropriate ARP Funding

BOND ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF A DRIP IRRIGATION SYSTEM, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; REAPPROPRIATING \$165,109.71 IN EXCESS FEDERAL FUNDS RECEIVED FROM THE AMERICAN RESCUE PLAN ACT OF 2021 FROM BOND ORDINANCE NUMBER 3-2021, AS AMENDED BY BOND ORDINANCE NUMBER 18-2021 OF THE TOWN FINALLY ADOPTED ON APRIL 26, 2021 AND DECEMBER 1, 2021, RESPECTIVELY, NOT NEEDED FOR THEIR ORIGINAL PURPOSE, TO FINANCE THE COSTS THEREOF

WHEREAS, the Town Council of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"), finally adopted bond ordinance number 3-2021 of the Town on April 26, 2021, as amended by bond ordinance number 18-2021 finally adopted on December 1, 2021, as more fully described in Section 1 herein (collectively, the "Ordinance"); and

WHEREAS, the Town has determined that the capital improvements or purposes set forth in the Ordinance have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Ordinance, as applicable; and

WHEREAS, there currently remains on deposit in the Town's capital accounts excess federal funds received from the American Rescue Plan Act of 2021, allocable to the Ordinance (the "Excess ARP Funds"), but no longer necessary to complete the improvements or purposes authorized therein; and

WHEREAS, in accordance with the statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), the Town Council of the Town has determined that it is in the best interest of the Town to reappropriate the Excess ARP Funds to finance the costs of various capital acquisitions and improvements, for which bonds may be issued, thereby eliminating the need for the Town to incur additional debt to finance such current capital needs; and

WHEREAS, the Town Council of the Town now desires to re-appropriate the Excess ARP Funds to undertake the costs of the improvements in and by the Town.

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The following amount of Excess ARP Funds from the Ordinance listed below is no longer necessary for the improvements or purposes for which it was appropriated, authorized and issued:

<u>Bond Ordinance Number and Date of Adoption</u>	<u>Excess Proceeds Amount</u>	<u>Section of Bond Ordinance Reappropriated From</u>
3-2021, finally adopted April 26, 2021, as amended by 18-2021, finally adopted December 1, 2021	<u>\$165,109.71</u>	Section 3(i)
Total:	<u>\$165,109.71</u>	

SECTION 2. The total amount of \$165,109.71 in Excess ARP Funds is hereby reappropriated pursuant to N.J.S.A. 40A:2-39, and shall be used to finance the cost of the undertaking by the Town of general capital improvements or purposes for which bonds may be issued. Said general capital improvements or purposes are set forth in Section 3(a) of this bond ordinance.

SECTION 3. (a) The capital improvements hereby authorized and purposes for which the Excess ARP Funds are to be re-appropriated are as follows:

<u>Description</u>	<u>Reappropriation Amount</u>	<u>Bond Ordinance Reappropriated To</u>
Purchase and installation of a drip irrigation system.	\$165,109.71	3-2022, finally adopted February 28, 2022 and 11-2022, finally adopted May 23, 2022
Total:	<u>\$165,109.71</u>	

(b) The improvements or purposes set forth above in Section 3(a) shall also include, as applicable, all engineering and design work, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Atlantic make a contribution or grant in aid to the Town for the improvement or purpose authorized hereby and the same shall be received by the Town, then such funds shall be applied to the payment of debt service on the bonds issued for such improvement or purpose and shall be used for no other improvement or purpose.

SECTION 5. The capital budget or temporary capital budget, as applicable, of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and

capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

SECTION 6. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all Excess ARP Funds reappropriated by this bond ordinance.

SECTION 7. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

Public Hearing of Ordinance #005-2023 – Sale of Town Owned Property Lot 3 Block 1602

AN ORDINANCE OF THE TOWN OF HAMMONTON AUTHORIZING THE SALE OF TOWN OWNED LAND

WHEREAS, Lot 3 of Block 1602 is owned by the Town of Hammonton and is not needed for public purposes; and

WHEREAS, it is in the best interest of the Town to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, the Town proposes to sell such land by Open Public Sale to the highest bidder as authorized by N.J.S.A. 40A:12-13(a).

NOW, THEREFORE, BE IT ORDAINED by Council of the Town of Hammonton, County of Atlantic, State of New Jersey, as follows:

1. **The Town Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Town's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13: Block 1602, Lot 3 – at a minimum amount of \$22,300.00.**
2. **The minimum bid for the lot is set forth above. No bid less than the minimum amount set forth will be considered.**

3. The Town Clerk is directed to advertise the sale in a newspaper circulating in the Town by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of the public sale. The property set forth above is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth above with Town Council reserving the right to accept or reject or otherwise remove any lot from sale. The public sale shall take place on Friday, May 12, 2023, at 10:00 AM at the municipal building 3rd Floor located at 100 Central Avenue, Hammonton, NJ 08037. Bids shall be received by the Town Clerk in accordance with the procedures to be announced by the Town Clerk. A deposit by certified check, bank check or money order made payable to the Town of Hammonton in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The balance of the bid amount shall be paid by certified check, bank check or money order made payable to the Town of Hammonton at closing which shall occur not later than forty-five (45) days following acceptance of the bid by Town Council. The Clerk may by announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interest parties.

4. Any person bidding on behalf of a corporation or company must submit a copy of a Resolution of the corporation or company authorizing the bidder to bid on the property on behalf of the corporation or company. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners, if any.

5. All bids shall be referred to Town Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the Town reserves the right to accept the highest bid or to reject any and all bids for any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.

6. The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title, not to exceed \$250.00. The costs of preparation of the deed of conveyance and related documents for the transfer of title must be paid by certified check, bank check or money order made payable to the Town of Hammonton and provided to the Town of Hammonton within ten (10) days of the date of sale. The successful bidder shall be responsible for the recording of the deed and for the cost of such recording.

7. A bargain and sale deed without covenants shall be delivered at the office of the Town Clerk on or before forty-five (45) days after Council approval of the sale. The Mayor and Town Clerk are hereby authorized to execute said deed and other conveyance documents and the Town Attorney is authorized to prepare such deed and documents.

8. In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions by the Town:

(a) In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Town any and all monies deposited with the Town.

(b) The Town does not warrant or certify title to the property and in no event shall the Town be liable for any damages to the successful bidder if title is found defective or marketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Town, the sole remedy of the bidder being the right to receive a refund prior to closing of title of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Town shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

(c) The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Town of Hammonton, and the reservation of an easement for all natural constructive drainage systems, swales, pipes, drains, inlets, waterways and other easements, if any, on the land and a continued right of maintenance and flow thereof. The Town shall be without obligation to provide access, public or private, or to provide any improvements.

(d) The land being conveyed is an undersized lot and may not be developed separately for residential or other purposes and, if applicable, must be merged with the contiguous land owned by the bidder. The deed of conveyance shall contain a restriction governing the subject property that, if applicable, neither it nor the property with which it is consolidated shall thereafter be subdivided. The deed will also contain a further covenant that neither the purchaser nor any future owner or potential developer

of the lot may ever in any manner, directly or indirectly, assert a claim against the Town of Hammonton based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

(e) The Town makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.

9. **The Town Clerk, the Mayor and the Town Attorney are authorized to prepare and execute any and all documents necessary and to take any and all such actions as may be required to effect the transaction set forth herein.**

10. **The Town Clerk shall file with the Director of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(a).**

11. **Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other duly authorized representative. However, no commission shall be paid by the Town of Hammonton to any real estate agent or broker or other representative in connection with any sale.**

12. **The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Town of Hammonton.**

13. **All potential sales are subject to final approval by Town Council. This includes the right of Town Council to remove a property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated, any monies paid by a successful bidder will be refunded.**

14. **The Town reserves the right to waive any and all defects, informalities and irregularities in any bid. The Town further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, re-advertise the property for sale. No bid shall be considered finally accepted until confirmed by Town Council.**

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

Public Hearing of Bond Ordinance #006-2023- Athletic Field Lighting and ADA Lake Park Upgrades

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 ACQUISITIONS AND IMPROVEMENTS FOR THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$740,000 THEREFOR (INCLUDING A GRANT FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$323,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COSTS THEREOF

BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$740,000, which sum includes a \$400,000 Community Development Block Grant (the "Grant"), and \$17,000 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet part of the \$740,000 appropriation not provided for by said down payments and the Grant, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$323,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$323,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 3. The improvements and purposes hereby authorized and purposes for the financing of which said debt obligations are to be issued include, but are not limited to, as follows:

Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
(a) ADA improvements to recreation facilities at Hammonton Lake Park; and	\$440,000 (including the Grant)	\$38,000	\$2,000	15 years
(b) Lighting for athletic fields and improvements to various recreation	\$300,000	\$285,000	\$15,000	15 years

facilities.	Description	Total Appropriation	Debt Authorization	Down Payment	Useful Life
	Total:	\$740,000	\$323,000	\$17,000	

All such improvements or purposes set forth in the Section 3 shall include, but are not limited to, as applicable, all engineering and design work related thereto, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$323,000.

The aggregate estimated cost of said improvements and purposes is \$740,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor, are the Grant in the amount of \$400,000 available for the purpose stated in Section 3(a) herein, and the down payment in the aggregate amount of \$17,000 available for such improvements and purposes.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, and/or the County of Atlantic make a loan, contribution or grant-in-aid to the Town for the improvements authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or the County of Atlantic. Except for the Grant, in the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or the County of Atlantic shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the principal of and interest on the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Town as a result of using such funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town, provided that no note shall mature later than one (1) year

from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Town. The Chief Financial Officer of the Town shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1 of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Town may lawfully undertake as general improvements, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

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

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$323,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$148,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements hereinbefore described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the Town and, unless paid from other sources, the Town shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditure toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2.

SECTION 10. The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town, which are authorized herein, and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town, which are authorized herein, and

to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The Town covenants to maintain the exclusion from gross income under Section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all tax-exempt bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication of the notice of final adoption of this bond ordinance, as provided by the Local Bond Law.

Public Hearing of Ordinance #008-2023 – Fixing Salaries Police Department

AN ORDINANCE FIXING THE SALARIES OF CERTAIN EMPLOYEES IN THE POLICE DEPARTMENT

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick, vacation, personal time, holidays, comp time and longevity shall apply to officials listed on this ordinance per Town Code and Individual Contracts. Salary Minimum and Maximums are as follows:

Title	Minimum	Maximum
Police Chief/Emergency Mgt Coord	\$ 110,000.00	\$ 200,000.00
Police Captain	\$ 100,000.00	\$ 175,000.00
Police Lieutenant	\$ 95,000.00	\$ 155,000.00

BE IT FURTHER ORDAINED that the specific salary for any municipal employee shall be set forth by the appropriate salary resolution.

BE IT FURTHER ORDAINED that this ordinance shall take effect after final passage and publication according to law.

COMMITTEE REPORTS

Administration - Councilman Gribbin

Business & Industry – Councilman Wuillermin

Quality of Life – Councilman Oliva

Education - Councilwoman Renee Rodio

Public Works & Transportation Councilman Sam Rodio

Law & Order - Mayor DiDonato

Water & Sewer - Councilman Furgione

ENGINEER REPORT

ACTION ITEMS:

- 1. Route 54 Water Main Replacement Project (ARH #11-30167): In Progress**

Our office continues to coordinate with the Town to obtain easement signatures from the property owners along Route 54 and Chew Road. We have been informed that since the water main is being relocated from within the road to the grass areas outside the limits of pavement, the both the Pinelands Commission and Cape Atlantic Soil Conservation district will require Public Development Applications. Our office will prepare the appropriate applications.

Action Item:

Authorize ARH's proposal in the amount of \$4,000 to prepare and submit the Pinelands Public Development and Cape Atlantic Soil Conservation District permit applications.

2. KMD Construction/Main Estates Major Subdivision

The developer has completed installation of the site improvements along Dogwood Lane, Main Road, and Pleasant Mills Road, including perimeter and street landscaping. The developer has requested the release of their performance bond. Our office has performed a site inspection and has confirmed that the improvements have been installed in accordance with the approved development plans. Our office recommends the release of the performance bond in accordance with the Municipal Land Use Law, contingent upon concurrence with the Town's Quality of Life committee.

Action Item:

Accept ARH's recommendation to release the performance bond for the Main Estates Major Subdivision Development, contingent upon concurrence with the Town's Quality of Life committee.

PUBLIC WORKS INFORMATION ITEMS:

Roadway & Transportation Projects:

3. School House Lane – 3rd Street to Rt. 54 (ARH #11-40060): In Progress

Our office is coordinating with the Contractor to complete outstanding punch list items, prior to formally closing out the project.

4. Valley Avenue – Broadway to Central (ARH #11-30159): In Progress

Our office is coordinating with the Contractor to complete outstanding punch list items, prior to formally closing out the project with both the Town and the NJDOT.

5. NJDOT FY2022/FY2023 Municipal Aid: Old Forks Road (ARH #11-40061): In Progress

Our office is finalizing the construction plans for the Old Forks Road project. We had a meeting with the local NJDOT representative about the combining of the Town's two separate grant awards, and it was recommended that we restructure our bid package into a base bid with alternates to coincide with the individual grants. Our office anticipates construction in the fall, after the conclusion of the farm and transportation season.

6. Hammonton Bike Path Connector – Phase II (ARH #11-40052.07): In Progress

Our office is preparing the construction plans for the Bike Path project. The next step will be to submit the project to the Pinelands for public development approval. We are currently scheduling the additional soil testing needed for the stormwater management design along Egg Harbor Road.

7. 11th Street Sidewalk Improvements (ARH #11-40062): In Progress

Our office has completed the design of the 11th Street Sidewalk project and is incorporating suggestions from Mr. Vettese. This project will need to be submitted to the NJDOT for approval and authorization to bid.

8. K&K Linens Property / 224 Vine Street (ARH #11-01094.07): In Progress

We have completed the additional survey required to advance the design. Once complete, we will meet with Mr. Vettese for review prior to preparing for public bidding.

Environmental Projects:

9. Mazza Muffler Site / 104 S. Egg Harbor Road (ARH #11-01102): In Progress

Our office has received the signed contracts. We anticipate scheduling a preconstruction meeting within the next few weeks and will invite the PTWC committee members.

10. Octagon Oil/Vine Street Parking Lot (ARH #11-01060): On hold

The lab results have been received and reviewed by our office. The Remedial Action Permit (RAP) has been submitted to NJDEP. No additional action is necessary.

11. Skinner Property / 317 N. Egg Harbor Road (ARH #11-01074.06): In Progress

Our office has prepared a scope of work and schedule to do testing and monitoring at the Skinner site.

12. Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054): In Progress

ARH completed the receptor evaluation at the site and completed the remedial investigation report.

SEWER/WATER INFORMATION ITEMS:

13. Lakeview Gardens Water Testing (ARH #11-30168) In Progress

Our office is coordinating with the Town to contact the residents in the Lakeview Gardens section, to ensure that they are getting the well tests.

14. Water Quality Accountability Act Compliance (ARH #11-30166): In Progress

Our office is currently compiling responses to the Lead Service Line survey we created and sent to the residents. We have received responses from approximately 21% of the property owners. Approximately 5% of the responses have been confirmed to be a lead or galvanized service.

15. Boyer Avenue Berm Project (ARH #11-75003.07): In Progress

Our office has prepared and submitted the Pinelands Commission Public Development Application.

GENERAL SITE AND RECREATION INFORMATION ITEMS:

16. Lake Park ADA Playground/Small Cities (ARH #11-01100): In Progress

We have met with the Pinelands Commission to present the overall master plan concept, and they have provided positive feedback as to the direction of the project. Our office is working with the Town and the Landscape Architect to develop a comprehensive proposal to complete the design of the Hammonton Lake Park project.

17. Traditions at Blueberry Ridge (ARH #11-10044): In Progress

Our office has scheduled the survey work for the basin remediation project and anticipates completing the work in the month of May.

SOLICITOR REPORT

MAYOR REPORT

PWM REPORT

TOWN CLERK REPORT

1. Accept the retirement of Louis Marshall from the active role and accept Justin Day as a regular member of Fire Company #2. Approved at Fire Company meeting held on April 12.
2. Approve hiring of Television personality /Meteorologist per RFQ received on April 11th. Contingent upon agreement of contract. Contract to run from May 1, 2023, to December 31, 2023. Mayor to sign on behalf of the Town.

APPROVAL OF BILL LIST

NEW BUSINESS

RESOLUTIONS

Resolution # 057-2023 – Conflict Liquor License

**County of Atlantic
Resolution Authorizing NJ ABC to Renew Conflict Liquor License**

WHEREAS, the following liquor license holders have applied for renewal of July 1, 2023 to June 30, 2024 Plenary Retail Consumption Licenses :

License #	License Name	License Holder	Location
0113 33 006	DiDonato’s Bowling Center	Stephen DiDonato	1151 WHP

WHEREAS, the applicant is a member of the governing body of the Town of Hammonton, which also acts as the ABC issuing authority, the subject license is a “conflict” license. Accordingly, said renewal application will be forwarded to the Director of the Division of Alcoholic Beverage Control for consideration pursuant to N.J.S.A. 33:1-20 and N.J.A.C. 13:2-4.1; and

WHEREAS, N.J.A.C. 13:2-4.6 requires the issuing authority to submit to the Director a certified Resolution setting forth that the issuing authority has no objection to the renewal of the subject license and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic and State of New Jersey that the Governing Body has no objection to the renewal of Plenary Retail Consumption License and consents thereto, and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the subject licenses.

Resolution #058-2023- Authorize National Night Out

AUTHORIZE NATIONAL NIGHT OUT EVENT & FIREWORKS DISPLAY

WHEREAS, Friday August 4, 2023 (Saturday August 5, 2023 rain date) is the scheduled date for the National Night Out Event in the Town of Hammonton; and

WHEREAS, this year's event will include fireworks display to be held at Hammonton High School located on Old Forks Road in Hammonton;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, that the National Night Out Event and Fireworks Display is authorized along with assistance from Hammonton Police Department and other town departments as deemed necessary; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are authorized to sign Atlantic County License Agreement and any other paperwork that is necessary for this event; and

BE IT FURTHER RESOLVED approval is contingent upon the filing of the necessary certificate of insurance with the Municipal Clerk.

Resolution #059-2023- Setting Salaries for Police Chief and Captain

RESOLUTION SETTING POLICE SALARIES FOR CHIEF AND CAPTAIN

WHEREAS, the Mayor and Common Council of the Town of Hammonton, by Ordinance fixed a salary range for employees of the Town of Hammonton, County of Atlantic, New Jersey; and

WHEREAS, said ordinance provides that the amount to be paid to such employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, and State of New Jersey as follows:

Employee	TITLE	Salary Effective 1/1/2023 to 12/31/2023
Police Department Kevin Friel	Chief	\$ 169,054.00

Donald Kunen	Captain	\$ 151,001.80
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Employee	TITLE	Salary Effective 1/1/2024 to 12/31/2024
Police Department		
Kevin Friel	Chief	\$ 173,305.35
Donald Kunen	Captain	\$ 154,692.98

Employee	TITLE	Salary Effective 1/1/2025 to 12/31/2025
Police Department		
Kevin Friel	Chief	\$ 176,371.12
Donald Kunen	Captain	\$ 158,470.43

Resolution #060-2023- Authorize Green Market at 3rd Thursday

RESOLUTION AUTHORIZING

THE HAMMONTON GREEN MARKET at THIRD THURSDAY

WHEREAS, The Hammonton Green Committee and MainStreet Hammonton Organization shall collaborate to promote the Town of Hammonton with scheduled Green Market events in the downtown business district; and

WHEREAS, Mayor and Council shall support the efforts of The Hammonton Green Committee in collaboration with MainStreet Hammonton; and

WHEREAS, Main Street Hammonton is partnering with the Hammonton Green Committee of Hammonton to host this Green Market event in collaboration with Third Thursday, which will feature sustainability themed agriculture, arts and craft vendors, and environmental conservation demonstrations; and

WHEREAS, The Hammonton Green Day Festival attracts residents and visitors to the town and therefore enhanced the growing reputation of Hammonton's Downtown, and

WHEREAS, Thursday June 15th, 2023 is the scheduled date for the first of four summer Hammonton Green Market events, during the hours of 5:00p.m. to 8:00 p.m.; and

WHEREAS, additional dates of Thursday, July 20th, August 17th and September 21st 2023 will repeat the Green Market during the hours of 5:00 pm to 8:00 pm; and

WHEREAS, The Hammonton Green Committee in collaboration with MainStreet Hammonton has requested the following street closure for the following Green Market events between the hours of 2 pm to 9 pm:

Horton Street between Bellevue Ave and Orchard Street;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that Thursday, June 15th, July 20th, August 17th and September 21st, 2023 are approved for the Hammonton Green Market event, including the above requests for street closures and are approved and endorsed;

Resolution #061-2023 – Approve Application for EPA Grant

A RESOLUTION APPROVING OF AN APPLICATION TO AND AUTHORIZING LOCAL MATCHING FUNDS FOR THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY COMMUNITY PROJECTS FUNDING GRANTS PROGRAM

WHEREAS, the United State Environmental Protection Agency (“EPA”) will award and administer water infrastructure projects identified as Congressionally Directed Spending to be administered through the EPA Community Project Funding program in Appropriations Acts for Fiscal Year (FY) 2022,

WHEREAS, the Town of Hammonton has been awarded FY2022 Congressionally Directed Spending funding in the amount of \$395,000 to fund the following project(s): Sewer Infrastructure Study and Minor Repairs at Liberty Street and Park Avenue Pump Stations; and

WHEREAS, in order to obtain this funding, the Town of Hammonton shall submit an application to the EPA Community Project Funding program;

WHEREAS, the EPA shall determine if the application is complete and in conformance with the scope and intent of the Community Project Funding;

WHEREAS, the Town of Hammonton is willing to use the EPA’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the EPA for the above-named project.

NOW, THEREFORE, the Town Council of the Town of Hammonton resolves that:

Stephen DiDonato, or the successor to the office of Mayor, is hereby authorized to:

- a) make application to the EPA Community Project Funding program; and
- b) provide additional application information and furnish such documents as may be required; and
- c) act as the authorized representative of the Town of Hammonton.

The Town of Hammonton agrees to provide its required 25% local matching share to the Community Project Funding project in the amount of \$98,750; and

The Town of Hammonton agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and

PUBLIC HEARD

MEETING ADJOURNED