

Regular Meeting of Mayor and Council October 23, 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 #135-2023

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 September 25, 2023
Executive Minutes September 25, 2023

PRESENTATION

- Dr. Ray Ferrari regarding Hammonton Water Utility

DISPENSE WITH REGULAR ORDER OF BUSINESS

Resolution #136-2023- Capital Budget Amendment for Airport Improvements

CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2023 was adopted on the 26th day of June, 2023; and

WHEREAS, it is the desire to amend said adopted capital budget;

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

General Capital Fund

<u>1) Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>	<u>Grants</u>	<u>CIF Down payment</u>
Municipal Airport Improvements Rehabilitation Taxiway A - Phase III	\$ 530,861	\$ 47,700	\$477,775 (a)	\$ 5,386
Municipal Airport Improvements Rehabilitation Taxiway A - Phase IV	<u>90,049</u>	<u>8,100</u>	<u>81,044 (b)</u>	<u>905</u>
	<u>\$ 620,910</u>	<u>\$ 55,800</u>	<u>\$558,819</u>	<u>\$ 6,291</u>

(a) FAA Grant \$477,775

(b) FAA Grant \$ 81,044

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

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. **Myrtle Street Roadway Improvements (ARH #P2023.0453): In Development**

ARH's assistance was requested to prepare construction specifications and supplemental maps and details for the Myrtle Street project. We have submitted a proposal to prepare the documents for the Town.

Action Item

Authorize ARH's proposal for a cost not to exceed \$5,000 to prepare the construction specifications, maps, and figures for the Myrtle Street project.

PUBLIC WORKS INFORMATION ITEMS:

Roadway & Transportation Projects:

2. **NJDOT FY2022/FY2023 Municipal Aid: Old Forks Road (ARH #11-40061): 95% Complete**

Our office has finalized the construction plans for the Old Forks Road project. We are awaiting approval from the NJDOT to advertise for bidding. Our office plans on having the utilities constructed in the fall and winter, and having the paving completed in early spring.

3. **11th Street Sidewalk Improvements (ARH#11-40062): 95% Complete**

Our office has completed the design of the 11th Street Sidewalk project. We are awaiting approval from the NJDOT to advertise for bidding.

4. **Hammonton Bike Path Connector–Phase II (ARH#11-40052.07): 70% Complete**

We are scheduling soil test pits to assist in the design of the stormwater management system. We are also working with the Town Solicitor to get the necessary easements along Egg Harbor Road executed.

5. **K&K Linens Property /224 Vine Street (ARH#11-01094.07): 75% Complete**

We have completed the additional survey required to advance the design. Final plans and specifications are being developed. We are also investigating the possibility of installing canopy solar at this site, with funding and incentives from potential grant sources.

Environmental Projects:

6. **Hammonton Lake Aquatic Survey (ARH #11-90033): Completed**

The Lake Aquatic Survey has been completed and we received the final report from the survey subconsultant, DuBois and Associates. Our office has requested a virtual meeting with the Pinelands Commission to review the survey findings.

7. **Mazza Muffler Site/104 S. Egg Harbor Road (ARH #11-01102): Ongoing**

With the demolition complete, additional investigation of subsurface conditions can be performed. This work will be ongoing for the near future.

8. **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.

9. **Skinner Property /317 N. Egg Harbor Road (ARH #11-01074.06): Ongoing**
Our office continues to perform soil sampling and testing at the site. A report will be forwarded to the PWTC committee for discussion and to determine permanent improvements once the testing protocol is completed.
10. **Celona Site Remediation- 130 Railroad Avenue (ARH #11-01054): Completed**
ARH completed the receptor evaluation at the site and completed the remedial investigation report.

SEWER/WATER INFORMATION ITEMS:

11. **Route 54 Water Main Replacement Project (ARH #11-30167): 80% Complete**
Our office has submitted the Pinelands Public Development Application, and the project is slated for approval at the November Commission meeting. We have met with the NJDOT to discuss the design and their requirements. We will be submitting the Bureau of Safe Drinking Water permit to the NJDEP within the next week.
12. **Boyer Avenue Pump Station (ARH #11-50058): In Progress**
Our office is looking at alternative solutions to providing public sewer service in this area. We have investigated the use of individual grinder pumps to convey effluent to our gravity system. A concept will be ready for discussion at the next PWTC meeting.
13. **Lakeview Gardens Water Testing (ARH #11-30168)** **Ongoing**
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): Ongoing**
Our office continues to compile responses to the lead service line survey we created and sent to the residents. We have received responses from approximately 26% of the property owners, with about 5 percent of respondents identifying a lead or galvanized services. A second round of mailings has been sent out. We continue to draft policy, notification, prioritization, funding, and implementation documents, which will also include annual LSL reporting to the state and GIS updates.

GENERAL SITE AND RECREATION INFORMATION ITEMS:

15. **Lake Park ADA Playground/Small Cities (ARH #11-01100): In Progress**
We have started preliminary engineering and calculations for this project. Work performed includes an analysis of the existing land covers to determine the stormwater management requirements for the project. The development of this project and submission to the Pinelands is estimated to take approximately three months.
16. **Traditions at Blueberry Ridge (ARH #11-10044): In Progress**
The work has started, and Construction is anticipated to completed in the next 4 to 6 weeks.

SOLICITOR REPORT

MAYOR REPORT

PWM REPORT

TOWN CLERK REPORT

1. Approval of Best Practices Inventory for 2023 State Aide Funding.
2. Accept resignation of Kenneth Gehring from his position as a Class II officer with the Police Dept. Effective October 16, 2023.
3. Approval to hire Edward Fuller as a Class II office for the Police Department. Effective October 16, 2023. Hourly rate of \$30.00 per hour 20 hours a week.
4. Accept retirement of Juan Alvarez from his position with the Highway Department effective December 1, 2023.
5. Approval to move Michael Zingrone from the Highway department to the recreation department effective October 1, 2023. He will still be in the blue collar union and the current blue collar contract.
6. Approval to hire Justin Day as a Laborer for the Highway dept. Effective October 30- 2023, Single benefits, salary to follow current contract. Contingent upon civil service rules and regulations.

APPROVAL OF BILL LIST

NEW BUSINESS

Introduction of Ordinance # 020 -2023- Setting Salaries of the Members Police Department

**AN ORDINANCE FIXING THE SALARIES OF THE MEMBERS OF THE
HAMMONTON POLICE DEPARTMENT**

BE IT ORDAINED BY MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties in the police department. Pursuant to Town Code and a negotiated contract between the representatives of the Police Department PBA, the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick time, vacation time, personal time, comp time, holidays and overtime have all been set for the calendar years Starting January 1, 2023 to December 31, 2025. Individuals employed as Police Officers and Sergeants shall be paid pursuant to the contract. Minimums and maximums as per contract are as follows:

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Police Officer	\$ 45,000	\$126,000
Sergeant	\$113,000	\$127,000

Section 2. The appropriate salary that each employee covered under this contract shall be paid will be determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level of any police officer.

Section 3. There shall be added as a longevity increment for each full-time employee as negotiated and set forth in the contract.

Section 4. The method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council.

Section 5. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect after final passage and publication according to law and its provisions.

Introduction of Ordinance # 021 -2023- Setting Salaries for Utility Department

**AN ORDINANCE FIXING THE SALARIES OF THE MEMBERS OF THE
HAMMONTON UTILITY DEPARTMENT**

BE IT ORDAINED BY MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties in the police department. Pursuant to Town Code and a negotiated contract between the representatives of the Utility Department the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick time, vacation time, personal time, comp time, holidays and overtime have all been set for the calendar years Starting January 1, 2023 to December 31, 2025. Individuals employed as Sewer Repairer 1/Water Repairer 1 with Sewer Treatment 2 License shall be paid pursuant to the contract. Minimums and maximums as per contract are as follows:

	MINIMUM	MAXIMUM
Sewer Repairer 1/Water Repairer 1 with Sewer Treatment 2 License	\$ 45,000	\$ 80,000

Section 2. The appropriate salary that each employee covered under this contract shall be paid will be determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level of any police officer.

Section 3. There shall be added as a longevity increment for each full-time employee as negotiated and set forth in the contract.

Section 4. The method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council.

Section 5. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect after final passage and publication according to law and its provisions.

Introduction of Bond Ordinance #022-2023- Various Airport Improvements

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL ACQUISITIONS AND IMPROVEMENTS, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, APPROPRIATING \$620,910 THEREFOR (INCLUDING AIRPORT IMPROVEMENT PROGRAM GRANTS TOTALING \$558,819 EXPECTED TO BE RECEIVED FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION) AND AUTHORIZING THE ISSUANCE OF \$55,800 IN BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST 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 \$620,910, which sum includes Airport Improvement Program grants in the amounts of \$477,775 and \$81,044, respectively, expected to be received from the United States Department of Transportation Federal Aviation Administration (the "AIP Grants"), and \$6,291 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 the part of said \$620,910 appropriation not provided for by application hereunder of the AIP Grants and said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$55,800 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 \$55,800 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

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

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Improvements to the Hammonton Municipal Airport, including, but not limited to, rehabilitation of Taxiway A (Phase III); and	\$530,861 (including a \$477,775 AIP Grant)	\$47,700	\$5,386	15 years

(ii) Improvements to the Hammonton Municipal Airport, including, but not limited to, rehabilitation of Taxiway A (Phase IV).	\$90,049 (including a \$81,044 AIP Grant)	\$8,100	905	15 years
TOTALS	\$620,910	\$55,800	\$6,291	

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

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$55,800.

(d) The aggregate estimated cost of said improvements or purposes is \$620,910, the excess amount thereof over the said AIP Grants and the estimated maximum amount of bonds or notes to be issued therefor, is the aggregate down payments for said purposes in the amount of \$6,291.

SECTION 4. Except for the AIP Grants, 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 improvements and purposes 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 AIP Grants, in the event, however, that any amount so 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 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 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 (the "Chief Financial Officer"), 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. The Chief Financial Officer 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. 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, for the Town. 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 of the Town, a revised capital or temporary capital budget for the Town 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 or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of 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 \$55,800 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 \$125,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before 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 obligations shall be direct, unlimited obligations of the Town, and 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 improvement or purpose 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 expenditures toward the costs of the improvement or purpose 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. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Town for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Town, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$55,800. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes

authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. 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 bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into an appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

RESOLUTIONS

Resolution #137-2023 – Authorizing method for Payment of Delinquent Taxes

Resolution Authorizing Method of Payment for Delinquent Taxes

WHEREAS, the Town of Hammonton conducts an accelerated tax sale each year; and

WHEREAS, any taxpayer who is delinquent as of November 22nd of the current year shall be included in the accelerated sale; and

WHEREAS, to ensure full payment prior to the date of the accelerated tax sale, the Town must know that taxes have been paid in full;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic and State of New Jersey that all delinquent tax payments tendered on or after November 14, 2023, must be paid either by cashier's check, money order or cash.

Resolution #138-2023- Accept Annual Audit

ACCEPT ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2022 has been filed by a Registered Municipal Accountant with the Town Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Findings and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Findings and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Hammonton, County of Atlantic, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Resolution #139-2023- Approve Audit Corrective Action Plan

CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2022.

WHEREAS, in accordance with the requirements of the Division of Local Government Services, at the completion of the audit, the local government unit shall prepare a Corrective Action Plan to address each audit finding in the current year audit report; and

WHEREAS, the Corrective Action Plan of the Town of Hammonton for the 2022 Report of Audit is as follows:

Finding No. 2022-001:

Condition:

A calculation of the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees was not obtained.

Recommendation: That the Town obtain the actuarially calculated Other Post Employment Benefits (OPEB) obligation for the future cost of dental and vision insurance coverage to be paid by the Town for retired employees.

Corrective Action: This required disclosure is mandated by an accounting disclosure standard adopted by the Governmental Accounting Standards Board (GASB) Statement No. 75. In New Jersey, municipalities and counties report and budget under regulatory accounting practices and therefore are not required to “book” OPEB future obligations. The Town carries its medical health insurance with the State Health Benefits Program (SHBP). The required disclosure, with which the Town complies, only references where information can be found on the SHBP and is not required to include any future obligation. The dental and vision insurance coverage is contracted through a private carrier and only represents less than 10% of the Town’s total annual SHBP obligation. The Chief Financial Officer and the Town Accountant have exhausted numerous possibilities to have these calculations prepared at no cost to the taxpayers without success. Therefore, since there is no financial impact on the Town for not obtaining the actuarially calculated obligation for its future cost of dental and vision insurance coverage for retired employees, the Town will continue to evaluate the cost/benefit of budgeting taxpayer funds in future budget years in order to solely comply with a financial disclosure requirement that has no financial impact on the Town’s current operations.

BE IT RESOLVED, that the Corrective Action Plan for the 2022 Report of Audit of the Town of Hammonton be approved by the Governing Body of the Town of Hammonton; and

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Division of Local Government Services.

Resolution #140-2023- Approve Downtown Teen Arts Festival

**RESOLUTION AUTHORIZING
THE ANNUAL DOWNTOWN HAMMONTON
ATLANTIC COUNTY TEEN ARTS FESTIVAL 2024**

WHEREAS, The Atlantic County Teen Arts is a statewide multidisciplinary program in the fine arts and performing arts and has been available to young people in Atlantic County in varying forms since 1969; and

WHEREAS, The one-day Teen Arts Festival has been held in Downtown Hammonton since 2012 and is returning to Downtown Hammonton for 2024; and

WHEREAS, The Teen Arts Festival is held in the Arts District which aligns with the towns commitment to celebrating the arts; and

WHEREAS, The Teen Arts is a widely popular event attracting many people to the town and therefore generates increased exposure for the entire town, and

WHEREAS, Wednesday, May 8, 2024 is the scheduled date for the Teen Arts event during the hours of 6 a.m. to 4:00 p.m.; and

WHEREAS, MainStreet Hammonton is partnering with Atlantic County to plan this event and requests the following street closure for this event between the hours of 6 a.m. to 4:00 p.m.:

North Second Street between Bellevue Ave and Orchard Street; and
Front Street between 12th St and Passmore Avenue; and

WHEREAS, MainStreet Hammonton has requested police assistance at crosswalks along Rt 54 and 12th Street at major crosswalks;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that May 8, 2024 is approved for the Atlantic County Teen Arts event, including the above requests for street closure and police assistance, are acknowledged, approved and endorsed;

Resolution #141-2023- Authorizing Various Refunds

**A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING VARIOUS REFUNDS**

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the following refunds/close out of accounts are authorized as approved by the respective Department Heads of the Town of Hammonton:

Vision Property Group	\$	1,200.00	Refund Escrow
Brian Mchale	\$	2,000.00	Refund Escrow
Helen LoSasso	\$	847.50	Refund Escrow
Joseph Porretta Builders	\$	1,086.25	Refund Escrow
Joseph Continisio	\$	2,603.22	Refund Escrow
Evelyn Lopez	\$	100.00	Refund Escrow
Nick Cashan	\$	522.50	Refund Escrow
Nelson Johnson	\$	107.50	Refund Escrow
Hammonton Fire Co. #1	\$	395.00	Refund Escrow
Taco Bell	\$	1,957.50	Refund Escrow

Resolution #142-2023- Approve Various Tax-Water-Sewer Refunds

**A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING TAX / WATER / SEWER REFUNDS**

Whereas, the following accounts need to have amounts credited, transferred, cancelled, refunded or changed

<u>Block / Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Reason</u>
2803/13	Hammonton 2 nd St Prop	20 S 2 nd Street	\$307.39	utility over bill

Whereas, the above amounts have been corrected in the Edmunds Billing system for the Utilities and or tax module showing the correct amounts.

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the above refunds are authorized, as approved by the Tax Collector of the Town of Hammonton:

Resolution #143-2023- Approve Budget Transfers

TRANSFER OF BUDGET APPROPRIATIONS

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 transfer to be made on or after November 1, 2023 from the 2023 Budget appropriations:

CURRENT FUND

From: Engineering Operating	\$ 5,000.00
From: Computer Operating Expense	\$10,000.00
From: Planning Board Salary & Wages	\$10,000.00
From: Construction Operating Expense	\$ 2,000.00
From: Police Radio Operating Expense	\$ 3,500.00
From: Highway Salary & Wages	\$ 8,000.00
From: Recreation Operating Expense	\$10,000.00
From: Holiday Observance Operating Expense	\$ 6,543.00
From: Airport Operating Expense	\$ 4,000.00
From: Municipal Court Salary & Wages	\$ 5,000.00
To: Administration Salary & Wages	\$ 2,000.00
To: Police Radio Salary & Wages	\$52,000.00
To: Social Security Operating Expense	\$ 7,000.00
To: Other Code Salary & Wages	\$ 3,043.00

Resolution #144-2023- Issuance of Theater License to Eagle Theatre per ABC Approval

**ISSUANCE OF A SPECIAL PLENARY
RETAIL CONSUMPTION THEATER LICENSE**

Resolution of the Mayor and Common Council of the Town of Hammonton, Atlantic County, New Jersey, relating to “Issuing a Special Plenary Retail Consumption Theater License Pursuant to N.J.S. 33:1-19.8 and N.J.A.C. 13:2-41.2 (b)”, to Eagle Theatre, Inc. in the State of New Jersey , Town of Hammonton, Atlantic County, .

WHEREAS, in accordance with N.J.S. 33:1-19.8, the Town of Hammonton desires to issue a special plenary retail consumption theater license to a nonprofit corporation incorporated as of January 21, 2020 exempt from federal income tax under Section 501(C)(3) of the Internal Revenue Code which regularly conduct musical or theatrical performances or concerts for which admission is charged at a premises primarily used to conduct musical or theatrical performances or concerts with a seating capacity of 50 persons or more, but less than 1,000 persons; and

WHEREAS, it is a requirement of the State of New Jersey Division of Alcoholic Beverage Control, that the Town of Hammonton adopt a Resolution regarding the “**Issuance of a Special Plenary Retail Consumption Theater License Pursuant to N.J.S. 33:1-19.8 and N.J.A.C. 13:2-41.2(b)”;** and

WHEREAS, the Town followed the Historical Method Guidelines outlined in the Alcoholic Beverage Control Handbook for Municipal Issuing Authorities (“ABC Municipal Handbook”) in the “**Issuance of a Special Plenary Retail Consumption Theater License** pursuant to N.J.S. 33:1-19.8.

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:

The Town of Hammonton hereby approves the “**Issuance of a New Special Plenary Retail Consumption Theatre License Pursuant to N.J.S. 33:1-19.8 and N.J.A.C. 13:2-41.2(b)**” in the State of New Jersey, Town of Hammonton, Atlantic County, to **Eagle Theater, LLC**.

PUBLIC HEARD

MEETING ADJOURNED