

Regular Meeting of Mayor and Council August 28, 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 - Present
Gribbin – Present
Oliva - Present
R.Rodio- Present
S. Rodio – Present
Wuillermin - Present
Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, Public Works Manager

EXECUTIVE SESSION Resolution #108-2023

Motion by Council Person Oliva Second Furgione
Enter into Executive Session

Motion by Council Person R. Rodio Second Gribbin
Close Executive Session

RESUME REGULAR MEETING-ROLL CALL

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

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

No one heard

APPROVAL OF MINUTES

Regular Minutes July 24, 2023

Executive Minutes July 24, 2023

Motion by Council Person Gribbin Second Oliva

Minutes are approved

Roll Call:

Councilperson:

Furgione - Yes

Gribbin - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Yes

Wuillermin – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PRESENTATION

None

DISPENSE WITH REGULAR ORDER OF BUSINESS

Resolution #109-2023- 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>
New Telephone System/Equipment Upgrade	\$ 50,000	\$ 47,500		\$ 2,500
Paving and Micro-Surfacing Various Roads Throughout the Town	600,000	570,000		30,000
Recreation Improvements	75,787	13,000	62,000 (a)	787

Design & Planning for Various Parks/Recreation Improvements Including Needed Equipment and Fields	325,000	308,750	16,250
Purchase New 911 System and Computer Upgrades	60,000	57,000	3,000
	<u> </u>	<u> </u>	<u> </u>
	<u>\$ 1,110,787</u>	<u>\$ 996,250</u>	<u>\$ 62,000</u>
		<u>\$ 62,000</u>	<u>\$ 52,537</u>

(a) NJ DCA Grant \$62,000

Motion by Council Person Gribbin Second Oliva
Capital Budget Amendment is approved.

Roll Call:

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

Mayor DiDonato declares motion is carried

Public Hearing Bond Ordinance #012-2023- Old Forks Road NJ DOT Grant \$287,800

CAPITAL ORDINANCE APPROPRIATING \$287,800 TO PAY FOR VARIOUS ROADWAY IMPROVEMENTS TO OLD FORKS ROAD IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital purposes described in Section 2 of this capital ordinance are hereby authorized as general capital 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 2 hereof, there is hereby appropriated the amount of \$287,800, fully funded by a grant received or expected to be received by the New Jersey Department of Transportation’s Fiscal Year 2023 Municipal Aid Program.

SECTION 2. (a) The improvements and purposes hereby authorized are to pay for various roadway improvements to Old Forks Road.

(b) The above improvements and purposes set forth in Section 2(a) shall also include, but are not limited to, as applicable, construction, reconstruction, repairing, restriping and resurfacing of said roadways, streetscape improvements, drainage improvements to said roadways, and the repair, restoration or construction of or improvements to curbs, sidewalks, and driveway aprons along various roadways in the Town. Such improvements

shall also include the following, 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.

SECTION 3. The expenditures totaling \$287,800 for the purposes set forth in Section 2 hereof are hereby authorized and approved.

SECTION 4. 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, as applicable, of the Town is hereby amended to conform with the provisions of this capital 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 5. This ordinance shall take effect immediately after final adoption as described in N.J.S.A. 40:49-2 and N.J.S.A. 40:69A-181.

Motion by Council Person Oliva Second Furgione
Public Hearing on Ordinance 12-2023

Motion by Council Person Furgione Second Rodio
Adopt Ordinance and approval for final publication

Roll Call:

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

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #014-2023- Amending Chapter 175 Land Development

**Town of Hammonton
ORDINANCE # 14-2023**

**AN ORDINANCE AMENDING CHAPTER 175, LAND DEVELOPMENT, OF THE CODE OF THE TOWN OF
HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY**

WHEREAS, the Pinelands Protection Act (N.J.S.A. 13:18A-1) requires that the municipal master plan and local land use ordinances of the Town of Hammonton implement the objectives of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50) and conform with the minimum standards contained therein; and

WHEREAS, the Pinelands Commission amended the stormwater regulations contained in the Pinelands Comprehensive Management Plan, effective January 18, 2022.

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

SECTION 1: Chapter 175, Land Development, Article XII, Design, Performance and Evaluation Standards, Section 175-137, Water quality, is hereby amended by replacing subsection D(6) in its entirety with the following:

(6) Surface water runoff, provided that the requirements of Article XVII (Stormwater Management) of this Chapter are met.

SECTION 2: Chapter 175, Land Development, Article XVII, Stormwater Management, is hereby repealed and replaced in its entirety with the following:

Article XVII. Stormwater Management

§175-170. Scope and Purpose

A. Policy Statement

Flood control, groundwater recharge, erosion control and pollutant reduction shall be achieved using stormwater management measures, including green infrastructure best management practices (BMPs) and nonstructural stormwater management strategies. Green infrastructure BMPs and low impact development should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. Green infrastructure BMPs and low impact development should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge contained in this Article.

B. Purpose

The purpose of this Article is to establish minimum stormwater management requirements and controls as authorized by the Pinelands Protection Act (N.J.S.A. 13:18A-1 et seq.) and consistent with the Pinelands Comprehensive Management Plan (CMP) (N.J.A.C. 7:50-1.1 et seq.) and the New Jersey Department of Environmental Protection (NJDEP) Stormwater Management Regulations (N.J.A.C. 7:8-1.1 et seq.). The standards in this Article are intended to minimize the adverse impact of stormwater runoff on water quality and water quantity, to facilitate groundwater recharge, and to control and minimize soil erosion, stream channel erosion, sedimentation and pollution associated with stormwater runoff. Moreover, Pinelands Area resources are to be protected in accordance with the antidegradation policies contained in the New Jersey Surface Water Quality Standards (N.J.A.C. 7:9B-1.1 et seq.). Additionally, this Article is intended to ensure the adequacy of existing and proposed culverts and bridges and to protect public safety through the proper design and operation of stormwater BMPs. If there are any conflicts between a provision required by the Pinelands CMP and a provision required by the NJDEP, the Pinelands CMP provision shall apply.

C. Applicability

- (1)** The terms “development,” “major development” and “minor development” are defined in **§175-171** in accordance with the Pinelands CMP (N.J.A.C. 7:50-2.11) and differ from the definitions of “development” and “major development” contained in the NJDEP Stormwater Management Regulations (N.J.A.C. 7:8-1.2).
- (2)** This Article shall apply within the Pinelands Area to all major development, and to minor development meeting the following criteria:
 - (a)** Development involving the construction of four or fewer dwelling units;
 - (b)** Development involving any non-residential use and resulting in an increase of greater than 1,000 square feet of regulated motor vehicle surfaces; and
 - (c)** Development involving the grading, clearing, or disturbance of an area in excess of 5,000 square feet within any five-year period. For development meeting this criterion, the stormwater management standards for major development set forth in this Article shall apply.
- (3)** This Article shall apply to all development meeting the criteria of **(2)** above that is undertaken by Hammonton Town.
- (4)** Except as provided in **§175-179**, the exemptions, exceptions, applicability standards, and waivers of strict compliance contained in the NJDEP Stormwater Management Regulations at N.J.A.C. 7:8-1.1 et seq. shall not apply within the Pinelands Area.

D. Compatibility with Other Permit and Ordinance Requirements

- (1)** Development approvals issued pursuant to this Article are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this Article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.
- (2)** This Article is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Article imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.
- (3)** In the event that a regional stormwater management plan(s) is prepared and formally adopted pursuant to N.J.A.C. 7:8-1.1 et seq. for any drainage area(s) or watershed(s) of which Hammonton Town is a part, the stormwater provisions of such a plan(s) shall be adopted by Hammonton Town within one year of the adoption of a Regional Stormwater Management Plan (RSWMP) as an amendment to an Areawide Water Quality Management Plan. Local ordinances proposed to implement the RSWMP shall be submitted to the Pinelands Commission for certification within six months of the adoption of the RSWMP per N.J.A.C. 7:8 and the Pinelands CMP.

Motion by Council Person Oliva Second Gribbin
Public Hearing on Ordinance 14-2023

Motion by Council Person Oliva Second Gribbin
Adopt Ordinance and approval for final publication

Roll Call:

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

Mayor DiDonato declares motion is carried

Public Hearing Ordinance #015–2023- Amending Chapter 79, Article 1

**AN ORDINANCE TO AMEND CHAPTER 79, ARTICLE I, OF THE GENERAL ORDINANCES OF THE TOWN OF
HAMMONTON**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. Chapter 79, Article I, Section 79-4, Subsection A, is amended to read as follows:

A. One application for all machines shall be filed with the Town Clerk, which form of application shall contain:

1. The name and address of the applicant;
2. The name and address of the owner of the premises;
3. The address of the premises wherein the machine is to be operated, maintained or Used;
4. The name and address of the manufacturer, owner and distributor of each machine;
5. The manufacturer's serial number (if a machine is replaced the replacement machine shall be similarly reported to the Town Clerk within 10 days of installation);
6. A scaled sketch indicating the location of the premises, approximate interior dimensions and proposed placement within the premises of said machines that are to be installed, used or kept, which sketch shall be an accurate representation of the premises; and
7. Whether or not the person making the application has ever been convicted of a violation of this article, its amendments and supplements, or of any previous ordinance of the Town regulating the use of such machines.

SECTION 2. Chapter 79, Article I, Section 79-6, is amended to read as follows:

No device or machine as specified in this Article shall be operated, maintained or used until the license issued by the Mayor and Council of the Town of Hammonton shall be issued and affixed in a conspicuous

place in the room where the machines are located so that the same may be easily and quickly identified and inspected. Said license shall on its face disclose the name of the manufacturer for each machine, owner and distributor for each machine, the manufacturer's serial number for each machine, the name of the licensee and the address of the premises wherein the machines are to be maintained, operated or used.

SECTION 3. Chapter 79, Article I, Section 79-7, Second Sentence is amended to read as follows:

A license may not be used for any other machine not part of the license; provided, however, that a transfer may be applied for by the licensee for the use on another machine by the same proprietor and at the same premises.

SECTION 4. Chapter 79, Article I, Section 79-7, Fifth Sentence is amended to read as follows:

Upon the granting of the transfer, the original license must be surrendered, and a transfer license, so designated on the face of the license, shall be issued which contains the information set forth in §79-6.

SECTION 5. Chapter 79, Article I, Section 79-8, the Last Sentence is deleted.

SECTION 6. Chapter 79, Article I, Section 79-9, is repealed in its entirety.

SECTION 7. Chapter 79, Article I, Section 79-11, is repealed in its entirety.

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.

Motion by Council Person Wuillermin Second Oliva
Public Hearing on Ordinance 15-2023

Motion by Council Person Furgione Second S. Rodio
Adopt Ordinance and approval for final publication

Roll Call:

Councilperson:

Furgione - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Yes

Wuillermin – Yes

Mayor DiDonato - Recuse

Deputy Mayor Gribbin – Yes

Deputy Mayor Gribbin declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

- Reviewed resolution #120 appointment of Steve Barse as Labor Attorney
- Tax payments are due September 8th , if not paid interest is calculated back to August 10th
- New phone system to be installed in October or November of this year
- Admin Committee will be working on a new ordinance for Public Art within the Town
- Wished all the students good luck this coming school year.

Business & Industry – Councilman Wuillermin

- Spoke about the new businesses that open up in Town
- Hispanic Heritage month is in September
- 3rd Thursday in September will be fiesta theme
-

Quality of Life – Councilman Oliva

- Thursday September 14th is the quality of life committee meeting
- Puerto Rican Civic Association Festival will be September 3rd and 4th.
- Green Day event will be held on November 2nd on 2nd street between Bellevue and Vine Street
- Welcomed all the kids and teachers back to School

Motion by Council Person Oliva Second Wuillermin
Appoint new Environmental Commission members

Marty Matro is resigned her position as full member, Luis Campos is resigning his position as Alternate 2, Chris Bethman moving to Full time member taking Marty's term, Ryan Neidoba will be come Alternate 1 and Joe Berenato will take over Liu Capos term

Roll Call:

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

Mayor DiDonato declares motion is carried

Education - Councilwoman Renee Rodio

- Kids are back to school this coming Thursday August 31st
 - The back to school nights are posted on the school's website
- ECEC addition has begun.

Public Works & Transportation Councilman Sam Rodio

- Spoke about road program that is under the PWM report
- Wished everyone good luck on the upcoming school year.
- Wished everyone Happy Labor day

Law & Order - Mayor DiDonato- Given by Chief Friel

- Back to School is this Thursday August 31st. Please be careful and obey the no parking signs
- The PRCA festival will be this Saturday and Sunday September 2nd and 4th.

- There will be a medication Collection on September 16th from 9 am to 12 pm at the Mt Carmel grounds.
- New police officers will be graduating the academy on September 28th.

Water & Sewer - Councilman Furgione

- All equipment for the UV system has arrived should be up and running in 30 days
- 2nd round of letters were sent out regarding lead line services
- Dr. Ray will be here in October to give a presentation on our water.
- Turf field padding is in, starting installation by September 4th.
-

ENGINEER REPORT

ACTION ITEMS:

1. **2023 Road Program (ARH #P2023.0512)**

ARH was asked for a proposal to assist in the preparation of the bid specifications for the Town's 2023 Road Program.

Action Requested

Authorize ARH to assist in the preparation of the bid specifications for a price not to exceed \$2,000.00.

Motion by Council Person S.Rodio Second Furgione
Approve PO in the amount of \$2,000 for Road Program

Roll Call:

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

Mayor DiDonato declares motion is carried

SOLICITOR REPORT

- No action items

MAYOR REPORT

- No Action Items

PWM REPORT

Historical Society Building Improvements

The front step and front railing repair work has been completed and reopened for public use.

2023 Road Resurfacing Program

The Mayor, Road Committee, and PWTC have developed a list of several streets for inclusion within this year's program that will include a mill and pave program and use of the State micro surfacing contract. A bond ordinance for the funds will be introduced during tonight's Council meeting. Bids for the mill and pave portions of the project will be received on Tuesday, 9/19/2023 at Town Hall. Portions of Peach Street and Grand Street will be completed under a State contract for micro-surfacing.

Tennis/Pickle ball courts

The contractor has completed the work on the court areas. The courts were reopened for public and school play on Saturday, 8/12/2023. The contractor is completing some punch list items prior to final payment consideration and project closeout.

Atlantic County Recreation and Open Space Funding application

We are continuing the work with the County, the Town Solicitor, and the affected property owners as requested by Council related to the 3 properties involved for possible acquisition with County funding assistance.

Lakeview Gardens Private Well Testing

We will provide a list of the remaining property owners that still need to test for PFAS compounds to ARH so they could be contacted one last time and be reminded of the importance of completing the tests.

Fourth Street Drainage and Outfall Pipe

We requested price quotes for services of a pipe video truck company to inspect portions of the storm pipe along Fourth Street and through various easements to the Cedar Brook outfall. The low-price quote was received from Mobile Dredging & Video Pipe Services, Inc. from Newfield, NJ to complete the video inspection, reporting, and recommendations for a daily rate (8 hours) of \$2,100. The Town Municipal Utility Department will complete cleaning of the pipes prior to video inspection of the pipe by the contractor. A video report and recommendation for consideration will follow for Council’s consideration.

Motion by Council Person Gribbin Second Furgione

Roll Call:

Councilperson:

Furgione - Yes

Gribbin - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Recuse

Wuillermin – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Safe Routes to Schools (SRTS) GPI Final Design Scope

A letter was sent to NJDOT recommending approval consideration of GPI revised project scope for final project design. NJDOT will review the revised project and pricing and advised the Town of their recommendations.

Town Public Works Schedule for September

The schedule for Trash, brush, leaf collection and recyclables for September are as follows:

Monday, September 4th is a holiday, trash normally collected on Monday will be collected on Tuesday, 09/05/2023. (All items must be placed out prior to 6am on the day of collection)

Bulky waste, curbside pickup will be 9/4 through 9/8 except as noted above for the Labor Day holiday.
Curbside brush pickup will be 9/11 through 9/15.

The County Recycling pickup will be 9/4 through 9/8 and 9/18 through 9/22

TOWN CLERK REPORT

1. Approval to Hire Abby Mauriello as a fulltime dispatcher, Single Benefits, 40 hours a week, yearly salary of \$33,280 Effective August 22, 2023.contingent upon civil service rules and regulations.
2. Approve 30 day leave absence for Orlando Medina from the Highway Department per contract. Leave will be for the month of August 2023.
3. Accept Rocco DeLaurentis as a junior member of Fire Company #2. Approved at Fire Company meeting on August 9, 2023
4. Approval of retirement payments to Jay Pinto and Mike Perna for accrued unused, sick, holiday, personal, and comp time per contract.
5. Approval of Memorandum of Agreement with Public Utilities Department effective July 1, 2023.
6. Approval to hire Leslie Sabatini as a temporary full time Police Officer effective August 22, 2023. Salary to follow step guide in contract. Pending civil service rules and regulations.

Motion by Council Person Gribbin Second Oliva
Approval of Items 1 to 6

Roll Call:

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

Mayor DiDonato declares motion is carried

APPROVAL OF BILL LIST

Motion by Council Person Gribbin Second Oliva
Approval of Bill list

Roll Call:

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

Mayor DiDonato declares motion is carried

NEW BUSINESS

Introduction of Ordinance # 013 – 2023 – Amend Chapter 202 Section 3

**AN ORDINANCE TO AMEND CHAPTER 202
OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

SECTION 1. Chapter 202, Section 3, Subsection A, is amended to read as follows:

A. No person shall sleep or camp in or on the street, sidewalks, public pavilions, public parks or other public places in the Town of Hammonton at any time. The term “camp” or “camping” under this Chapter shall mean the use of public property as a temporary or permanent place of dwelling, lodging or residence, or as a living accommodation.

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.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of Atlantic and State of New Jersey held on August 28, 2023, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 100 Central Avenue, Hammonton, NJ 08037, on September 11, 2023, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person S. Rodio Second Wuillermin

Bond Ordinance #013-2023 has passed 1st reading is approved for publication

Roll Call:

Councilperson:

Furgione - Yes

Gribbin - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Bond Ordinance #016-2023- Highway Building Improvements

**BOND ORDINANCE PROVIDING FOR HIGHWAY BUILDING IMPROVEMENTS,
BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC,
STATE OF NEW JERSEY; REAPPROPRIATING \$50,000 IN EXCESS BOND**

AND NOTE PROCEEDS FROM VARIOUS BOND ORDINANCES, 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 various bond ordinances of the Town, as more fully described in Section 1 herein (collectively, the "Ordinances"); and

WHEREAS, following the effective dates, respectively, of the Ordinances, the Town issued bonds and notes to fully fund same and to finance the improvements or purposes authorized therein; and

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

WHEREAS, there currently remains on deposit in the Town's capital accounts excess bond and note proceeds allocable to the Ordinances (the "Excess Proceeds"), 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 Proceeds to finance the costs of Highway Building improvements in and by the Town (the "New Purpose"), 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 reappropriate the Excess Proceeds to undertake the New Purpose.

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 amounts of Excess Proceeds from the Ordinances listed below are no longer necessary for the improvements or purposes for which they were 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>
6-2017 finally adopted March 20, 2017	\$ 6,075.39	Section 3(a)
6-2017 finally adopted March 20, 2017	\$17,321.41	Section 3(b)
21-2018, finally adopted June 25, 2018	\$10,926.79	Section 3(b)
26-2018, finally adopted July 23,	\$ 1,399.50	Section 3(a)

<u>Bond Ordinance Number and Date of Adoption</u>	<u>Excess Proceeds Amount</u>	<u>Section of Bond Ordinance Reappropriated From</u>
2018		
7-2019, finally adopted May 20, 2019	\$ 37.58	Section 3(a)
7-2019, finally adopted May 20, 2019	\$ 1,043.00	Section 3(e)
8-2020, finally adopted August 6, 2020	\$10,116.85	Section 3(a)(iv)
2-2022, finally adopted February 28, 2022	\$ 3,079.48	Section 3(a)(ii)
Total:	<u>\$50,000.00</u>	

SECTION 2. The total amount of \$50,000 in Excess Proceeds 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 Proceeds are to be reappropriated is for the New Purpose.

(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 bond proceeds 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.

Motion by Council Person S. Rodio Second Wuillermin

Bond Ordinance #016-2023 has passed 1st reading is approved for publication

Roll Call:

Councilperson:

Furgione - Yes

Gribbin - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Ordinance #017-2023- Special Emergency Master Plan Update

SPECIAL EMERGENCY MASTER PLAN

**AN ORDINANCE OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY
AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-53 FOR THE
PURPOSE OF PREPARATION OF A MASTER PLAN**

BE IT ORDAINED by the Mayor and Town Council of the Town of Hammonton, in the County of Atlantic and State of New Jersey, that pursuant to *N.J.S.A. 40A:4-53* (ch.48, P.L. 1956 as amended by Ch.144, P.L. 1965 and Ch.38, P.L. 1969), the sum of Forty Thousand Dollars (\$40,000.00) is hereby appropriated for the preparation of a master plan and shall be deemed a special emergency appropriation as defined and provided for in *N.J.S.A. 40A:4-55*.

The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth (1/5th) of the amount authorized pursuant to this act (*N.J.S.A. 40A:4-55*).

NOTICE

The above Ordinance was introduced and passed on first reading at the meeting of the Town Council of the Town of Hammonton, in the County of Atlantic, held on the 28th day of August, 2023 and will be considered for final passage at a meeting to be held by the Town Council at Town Hall located at 100 Central Avenue, Hammonton, New Jersey, at 7:00 PM on the 11th day of September, 2023, at which time and place any person interested will be given an opportunity to be heard.

Motion by Council Person Oliva Second Furgione
Bond Ordinance #017-2023 has passed 1st reading is approved for publication

Roll Call:

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

Mayor DiDonato declares motion is carried

Introduction of Bond Ordinance #018-2023- Various Improvements

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, APPROPRIATING \$1,110,787 THEREFOR (INCLUDING A STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS 2023 LOCAL RECREATION IMPROVEMENT GRANT IN THE AMOUNT OF \$62,000) AND AUTHORIZING THE ISSUANCE OF \$996,250 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 \$1,110,787, which sum includes a grant in the amount of \$62,000 expected to be received from the State of New Jersey Department of Community Affairs 2023 Local Recreation Improvement Grant Program (the "Recreation Grant"), and \$52,537 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 \$1,110,787 appropriation not provided for by application hereunder of the Recreation and said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$996,250 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 \$996,250 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, include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Purchase and installation of a new telephone system and upgrade of related equipment at Town facilities;	\$50,000	\$47,500	\$2,500	10 years
(ii) Paving and micro-surfacing to various roads located throughout the Town;	\$600,000	\$570,000	\$30,000	10 years
(iii) Various recreation improvements throughout the Town; and	\$75,787 (including the Recreation Grant)	\$13,000	\$787	15 years
(iv) Preliminary planning and design for various parks and recreation improvements and also including necessary equipment and fields related thereto; and	\$325,000	\$308,750	\$16,250	15 years
(v) Purchase of a new 9-1-1 system and computer upgrades.	<u>\$60,000</u>	<u>\$57,000</u>	<u>\$3,000</u>	7 years

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
TOTALS	\$1,110,787	\$996,250	\$52,537	

(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 \$996,250.

(d) The aggregate estimated cost of said improvements or purposes is \$1,110,787, the excess amount thereof over the said Recreation Grant 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 \$52,537.

SECTION 4. Except for the Recreation Grant, 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 Recreation Grant, 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 11.44 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 \$996,250 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 \$222,157 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 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. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Town, or any member of the same "Controlled Group" as the Town, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. 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 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 Regulation Section 1.150-2.

SECTION 10. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Code 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.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Motion by Council Person Wuillermin Second S. Rodio
Bond Ordinance #018-2023 has passed 1st reading is approved for publication

Roll Call:

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

Mayor DiDonato declares motion is carried

Introduction of Ordinance #019-2023- Authorizing Sale of Town Owned Property

**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, N.J.S.A. 40A:12-13.2 provides in pertinent part that whenever any municipality intends to sell real property which is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, the municipality must accord contiguous property owners the right of first refusal to purchase such land; and

WHEREAS, the Town proposes to offer such right to all contiguous owners and to sell such lands to the highest bidders among the contiguous owners as authorized by N.J.S.A. 40A:12-13(b)(5).

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

1. The Town, subject to the conditions set forth herein, shall offer for sale 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(b)(5):
Block 1602; Lot 3 –149 Golden Eagle Drive – at a minimum amount of \$7,627.00.
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 Solicitor is authorized to notify by letter the contiguous owners of record in accordance with the current tax assessments and to advise each such contiguous owner of the lot being offered for sale and that such contiguous owner may bid for such lot in accordance with the terms and conditions set forth herein.
4. 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 to the highest bidder among contiguous owners of record 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 sale shall take place on Monday, September 25, 2023, at 10:00 AM at the municipal building 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.
5. The lot set forth above shall be offered to the contiguous property owners at the minimum price set forth above and shall be sold to the highest bidder from among the adjoining property owners.
6. 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.
7. The successful bidder shall be responsible for the cost of preparation of the contract of sale, deed of conveyance and any related documents for the transfer of title, not to exceed \$600.00. The balance of the purchase price, together with 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.
8. 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.
9. 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.

10. 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.

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.

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced in and passed the first reading at a meeting of Town Council of the Town of Hammonton, County of

Atlantic and State of New Jersey held on August 28, 2023, and said Ordinance will be further considered for final passage and adoption at a public hearing to be held at the Municipal Building located at 100 Central Avenue, Hammonton, NJ 08037, on September 11, 2023, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Furgione Second S. Rodio

Bond Ordinance #019-2023 has passed 1st reading is approved for publication

Roll Call:

Councilperson:

Furgione - Yes

Gribbin - Yes

Oliva - Yes

R.Rodio - Yes

S. Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

RESOLUTIONS

Resolution #110-2023- Approve Master Plan Update

Special Emergency for Master Plan Update

RESOLUTION TO APPROVE A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A: 4-54 FOR THE PURPOSE OF PREPARATION OF A MASTER PLAN

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses to be incurred, by the preparation of a master plan and,

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for the Preparation of a Master Plan in the total amount of \$40,000.
2. That the special emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$8,000.
3. No special emergency notes will be issued for this special emergency.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Government Services; however, no approval is required from the Division.

Resolution #111-2023 - Extending Due Date for 3rd Qtr Property Tax

WHEREAS, the 2023/2024 preliminary tax bills will be mailed late due to a delay in receiving the established tax rate from county;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton to authorize and direct the tax collector to extend the due date for the third quarter taxes to be due on Friday September 8, 2023 or at least 25 days from date of mailing (certification to follow);

BE IT FURTHER RESOLVED that payments received after September 8, 2023 will be with interest;

Resolution #112-2023- Authorize Fireman’s Christmas Parade

**RESOLUTION AUTHORIZING AND ENDORSING
FIREFIGHTER CHRISTMAS PARADE**

WHEREAS, the Hammonton Fire Department continues to support the Town of Hammonton in it’s effort to promote events such as the Christmas Parade which is scheduled for **December 9, 2023 (rain date December 10th) @ the hour of 7:00 p.m.:**

WHEREAS, Mayor and Council has and continues to support the efforts of the Hammonton Fire Department;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, which the Annual Hammonton Firefighter Christmas Parade is acknowledged and endorsed with the following streets being closed:

- Liberty Street (from Hammonton Middle School to Bellevue) 5:00 to 9:00 pm
- Route 54 (from WPH to Front Street) from 5:00 to 9:00 pm
- Central Avenue (from Bellevue to Vine) from 5:00 to 9:00 pm
- All Road openings onto Bellevue Avenue (from WHP to Front Street) will be closed during event at 7:00 pm
- Pasmore Avenue (from Egg Harbor Road to Washington Street) from 7:00 to 10:00 pm
- Front Street (from Bellevue to Line Street) from 7:00 to 11:00 pm
- Liberty Street (from Bellevue Ave to Fairview Ave) from 5:00 to 8:00 pm
- Vine Street (from Egg Harbor Rd. to Central Ave.) from 5:00 to 9:00 pm

Resolution #113- 2023 – Authorize Halloween Parade

**RESOLUTION AUTHORIZING AND ENDORSING
KIWANIS CLUB HALLOWEEN PARADE**

WHEREAS, Kiwanis Club of Hammonton 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 Kiwanis Club of Hammonton; and

WHEREAS, October 25, 2023 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 26, 2023);

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the Kiwanis Club Halloween Parade is acknowledged and endorsed with the following streets being closed:

N. Egg Harbor Road from Rt. 54 to Fairview Avenue from 6:00 – 7:00 pm
Rt. 54 (Bellevue) from N. Egg Harbor Road to Third St. from 7:00 – 9:00 pm

Resolution #114-2023- Authorize Green Day Event

RESOLUTION AUTHORIZING AND ENDORSING
HAMMONTON GREEN DAY FESTIVAL

WHEREAS, Hammonton’s Green Committee and MainStreet Hammonton have promoted and continue to promote the Town of Hammonton with scheduled events in the Town of Hammonton; and

WHEREAS, these organizations have forged positive relationships with other key organizations and institutions in Hammonton, particularly the Hammonton Education Foundation, St. Joseph’s High School, the Hammonton Lions Club, and the Hammonton High School Green Earth Club, and

WHEREAS these positive working relationships have helped to establish the annual Green Festival as an eagerly-anticipated staple among Hammonton’s annual celebrations, and

WHEREAS, Mayor and Council have and continue to support the efforts of these organizations to promote the Town of Hammonton and particularly their efforts at ensuring the environmental, economic, and cultural sustainability of the Town,

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Green Day Festival to held at on Second Street between Bellevue and Vine Street on Saturday November 4, 2023 from 12 -4 pm with a rain date of Sunday November 4, 2023:

BE IT FURTHER RESOLVED that the Town of Hammonton will provide municipal services required for this event including police assistance if required.

Resolution #115-2023- Authorize Water-Sewer-Tax 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>
502/4.01	Sharp, Russell & Theresa	312 S 2 nd Rd	\$5,158.13	Cancel/100% Vet Exempt
3903/8/01	Vincent Giannini	32 Sea Grove Ave	\$ 10.99	refund/change in assessment
3903/8.01	Vincent Giannini	32 Sea Groe Ave	\$ 21.98	cancel/change in assessment
Various	Corelogic		\$5,092.99	Refund Tax Overpayments

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 #116-2023- Authorize Electronic Tax Sale

Resolution authorizing the Tax Collector to hold an Electronic Tax Sale

WHEREAS, N.J.S.A. 54:5-19, requires that the Tax Collector hold a tax sale once a year for unpaid property taxes and other municipal charges; and

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, and State of New Jersey that the Tax Collector is authorized to hold an electronic tax sale.

Resolution #117-2023 – Authorize Contract for Online Tax Sale

Resolution authorizing execution of a contract with ROK Industries, Inc. d/b/a NJTaxLienInvestor.com and Real auction .com for electronic tax sale

WHEREAS, the Tax Collector has requested the town to authorize a contract for an Electronic Tax Sale for the Tax Collector's office; and

WHEREAS, the Tax Collector has issued requests for quotes for this project; and

WHEREAS, the Town of Hammonton wishes to enter into a contract with ROK Industries, Inc. d/b/a/ NJTaxLienInvestor.com and Realauction.com for the electronic tax sale;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, and State of New Jersey that the Mayor and Town Clerk are hereby authorized to execute an agreement with ROK Industries, Inc. d/b/a/ NJTaxLienInvestor.com and Realauction.com for the Electronic Tax Sale for the Tax Collector's Office, in the total maximum contract not to exceed \$15.00 per line item.

BE IT FURTHER RESOLVED that funds to pay the above stated amount will be realized through the tax sale costs collected as part of the electronic tax sale.

Resolution #118-2023 – 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:

The Sweet Tooth	\$ 100.00	Refund Vendor Permit Fee
William Singleton	\$ 575.00	Refund Vendor Permit Fee

Resolution #119-2023 – Authorize Sale of Surplus Property

**RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC,
STATE OF NEW JERSEY, AUTHORIZING SALE OF SURPLUS PROPERTY**

WHEREAS, the Town of Hammonton is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Town of Hammonton is desirous of selling said surplus property in an “as is” condition without express or implied warranties.

NOW THEREFORE, be it resolved by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey as follows:

1. The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967 / T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
2. The sale will be conducted online over a period of time to be set in the legal advertisement and the address of the auction site is govdeals.com.
3. The sale is being conducted pursuant to Local Finance Notice 2008-9.
4. Below is a list of surplus property to be sold:

Year /Description	Make/Model	Serial Number
1994	GMC	1GDH K34 K0E 5
175 CFM	Air	
2400 RPM	Compressor/175/6	
	1	
Pressure	Steam	
Washer		

Resolution #120-2023 – Appoint Labor Attorney

RESOLUTION APPOINTING A LABOR ATTORNEY

WHEREAS, N.J.S.A. 19:44A-20.4 provides for an Open and Fair Process through Requests for Proposals, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq) requires that the Resolution authorizing the award of contracts for "Professional Services", must be publicly advertised.

WHEREAS, Stephen Barse has move to a new firm, and

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

That Stephen **Barse of Law office of Stephen D. Barse LLC** is hereby appointed as **Labor Attorney** for the Town of Hammonton from August 19, 2023 to December 31, 2023.

That Labor Attorney has agreed to provide legal services at a rate of **\$250.00 per hour** at a total anticipated annual cost for services rendered not to exceed \$40,000.00. Before the total of \$40,000.00 is reached, the Purchasing Agent is authorized to seek RFQ's for the Labor Attorney position during the term of this contract.

That the Labor Attorney shall be available as consultant to the Officials of the Town of Hammonton and render such legal assistance as may be necessary during contract term.

That this contract is awarded as a "Professional Service", under the provisions of the Local Public Contracts Laws and the New Jersey Local Unit Pay to Play Law.

That the attached certification showing availability of funds and specifying the exact line item appropriations which shall be charged is incorporated herein and attached hereto as though set forth herein in verbatim.

Resolution #121-2023- Approve Procession of St. Michael

Approve Procession of St Michael

**RESOLUTION AUTHORIZING AND ENDORSING
THE "ST. MICHAEL PROCESSION"**

WHEREAS, St. Mary of Mt. Carmel Parrish continues to promote support of the Town of Hammonton Police Department; and

WHEREAS, Mayor and Council has and continues to support the efforts of Mt. Carmel Parrish and the Hammonton Police Department; and

WHEREAS, St. Michael is the patron saint and protector of Law Enforcement Officers and

WHEREAS, September 29th, 2023 at 6:00 p.m. is the scheduled date for the Blue Mass of St. Michael and 7:00pm St. Michael religious procession to be held in the Town of Hammonton; and

WHEREAS, St. Mary of Mt. Carmel Parrish has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for procession:
From St. Joseph Church (N. 3rd St.) left onto French St.
Left onto N. Second St.
Left onto E. Pleasant St.
Return to Church (N. 3rd St.)

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Feast of St. Michael and procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. Mary of Mt. Carmel as required by the Town of Hammonton.
2. Filing of required State and/or County written approvals for street closures with the Town Clerk’s office and the Chief of Police at least two weeks prior to event.

Resolution #122-2023- Authorize Tax Foreclosure

**RESOLUTION OF THE TOWN OF HAMMONTON
AUTHORIZING THE INSTITUTION OF AN IN REM TAX FORECLOSURE**

WHEREAS, the Town of Hammonton is the holder of certain Tax Sale Certificates set forth on the Tax foreclosure list attached hereto; and

WHEREAS, pursuant to N.J.S.A. 54:5-109.29 et seq., the Town has the authority to institute In-Rem tax foreclosure proceedings against properties to which it is the holder of Tax Sale Certificates; and

WHEREAS, it is the desire of the Mayor and Town Council of the Town of Hammonton to institute In Rem tax foreclosure proceedings against the properties which are set forth in the Tax foreclosure list attached hereto pursuant to N.J.S.A. 54:5-104.29 to 54:5-104.71, as amended, and pursuant to the rules of the Civil Practice of the Superior Court of New Jersey; and

WHEREAS, it is a benefit to the Town to institute said proceedings, and is also is a duty of the governing body;

NOW, THEREFORE, BE IT RESOLVED, by Council of the Town of Hammonton that:

1. The Mayor and Town Council for the Town of Hammonton do hereby authorize the institution of In Rem tax foreclosure proceedings in regard to the properties set forth in the Tax foreclosure list attached hereto.
2. A certified copy of this Resolution be forwarded to the Tax Collector of the Town of Hammonton and the attorney for the Town of Hammonton.

TAX FORECLOSURE LIST

Schedule Number	Tax Sale Certificate Number	Name of Owner as it Appears on Last Tax Duplicate	Description of Land as it Appears on Tax Duplicate and in Certificate of Tax Sale	Date of Tax Sale	Date Recorded	Instrument No.
1	102.97	Unknown Owner	107 W. Orchard St BI 2418, lot 7	12/29/1997	10/3/2002	2088907
2	18-00136	Atlantic Builders of Brigantine Inc.	648 S. Egg Harbor Rd BI 3703, lot 2	12/27/2018	3/22/2019	2019015332

Motion by Council Person Gribbin Second Oliva
Resolutions #110 to #122 are approved.

Roll Call

Councilperson:

Furgione – Yes

Gribbin - Yes

Oliva – Yes

R. Rodio- Yes

S. Rodio – Yes

Wuillermin - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

Joe Caruso from Hammonton Fire Dept #2- Gave his condolences to the Gellas family. Bart Gellas passed away after 33 years as a fire fighter.

Myrna Santiago- from the Puerto Rican Civic Association - the PRCA festival is this weekend on Saturday the 2nd and Sunday the 3rd please come out and enjoy the event. She also asked questions about the ordinance for the homeless in Town. There was a long discussion that occurred regarding this subject.

Lisa Warren 120 S Grand Street – She spoke about the Boys and Girls scouts' troop in Hammonton. You can contact her at lisa.scouts@yahoo.com

MEETING ADJOURNED

Motion by Council Person Gribbin Second Oliva