

Regular Meeting of Mayor and Council November 27, 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 – Arrived at 6:20

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 #147-2023

Motion by Council Person Gribbin Second R. Rodio
Enter into Executive Session

Motion by Council Person Wuillermin Second Gribbin
Close Executive Session

2nd Executive Session

Motion by Council Person R. Rodio Second Wuillermin
Enter into 2nd Executive Session

Motion by Council Person Furgione Second S. Rodio
Close 2nd Closed 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 desired to be heard

APPROVAL OF MINUTES

Regular Minutes October 30, 2023

Executive Minutes October 30, 2023

Motion by Council Person Wuillermin Second R.Rodio

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

- Dr. Ray Ferrara regarding Hammonton Water Utility – Presented the testing that the Town does on our water and explained in detail the results of the tests. Our drinking water is safe and under the parameters that are required.

DISPENSE WITH REGULAR ORDER OF BUSINESS

Resolution #156-2023- Capital Budget Amendment – Water Tank/Lakeview Gardens Projects

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:

Water/Sewer Utility Capital Fund

1) <u>Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>
Water Tank Painting and Construction Management	\$ 1,950,000	\$ 1,950,000
Design of Water Line – Lakeview Gardens/ Cypress Court	85,000	85,000
Water Storage Tanks	<u>200,000</u>	<u>200,000</u>
	<u>\$ 2,235,000</u>	<u>\$ 2,235,000</u>

Motion by Council Person Furgione Second S. Rodio
Capital Budget Resolution is adopted

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 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.

Motion by Council Person Gribbin Second Oliva
Ordinance is open for public comment

Motion by Council Person Gribbin Second Oliva
Ordinance was heard for public hearing and is adopted and approved for final advertisement

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 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.

Motion by Council Person Furgione Second Wuillermin
Ordinance is open for public comment

Motion by Council Person Furgione Second Wuillermin
Ordinance was heard for public hearing and is adopted and approved for final advertisement

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 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.

Motion by Council Person S. Rodio Second Wuillermin
Ordinance is open for public comment

Motion by Council Person S. Rodio Second R. Rodio
Ordinance was heard for public hearing and is adopted and approved for final advertisement

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 #023-2023- Vacating Hillman Ave

AN ORDINANCE VACATING HILLMAN AVENUE IN THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC

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

WHEREAS, in the Town of Hammonton, within the Highway Business ("HB") Zoning District, there exists, on the Tax Map, a municipal roadway, known as Hillman Avenue; and

WHEREAS, in order to accommodate the development of, and access to, properties within the HB Zoning District, it would be advantageous and beneficial to the Town of Hammonton to vacate the Hillman Avenue right of way to facilitate that development; and

WHEREAS, the right of way of Hillman Avenue desired to be vacated is shown on a plan titled, "Parcel Map (Street Vacation)" prepared by Schaeffer Nasser Scheidegg, dated June 27, 2023, attached hereto as Exhibit "A," and more particularly described in the metes and bounds description prepared by Schaeffer Nasser Scheidegg, dated July 10, 2023, attached hereto as Exhibit "B"; and

WHEREAS, Mayor and Council have determined, pursuant to N.J.S.A. 40:67-1(b), that it is in the public interest to vacate Hillman Avenue in its entirety; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Town of Hammonton expressly reserves and excepts from vacation all rights and privileges possessed by municipal utilities and public utilities, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.) to maintain, repair and replace their existing facilities in, adjacent to, over or under vacated Hillman Avenue; and

WHEREAS, the Town of Hammonton Municipal Engineer has reviewed the proposed vacation of the Hillman Avenue right of way and finds that same is consistent with the public interest, and that it is in the best interest of the municipality;

WHEREAS, Hillman Avenue is to be vacated in its entirety; and

WHEREAS, the interests of the public will be served by this vacation, since Hillman Avenue is unnecessary for public transportation or any other municipal purposes and the vacation will lead to the improvement of the property in the surrounding areas without any detriment to the interests of the public.

NOW, THEREFORE BE IT ORDAINED by Mayor and Council of the Town of Hammonton as follows:

Pursuant to N.J.S.A. 40:67-1(b), Hillman Avenue as set forth in Exhibit "A" and Exhibit "B" is hereby vacated, subject only to the express reservation by the Town from the vacation, all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," (N.J.S.A. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof to be vacated.

In addition, the Town of Hammonton expressly reserves for itself, the right to inspect, replace and maintain stormwater facilities to facilitate and improve over and under ground flow and drainage of stormwater.

Title to the Land under the Hillman Avenue right of way shall be apportioned to adjacent property owners in accordance with the laws.

The property owners adjacent to Hillman Avenue shall record as soon as possible deeds with new legal descriptions that include the land apportioned to the adjacent property owner by law as a result of the vacation of Hillman Avenue at the sole cost and expense of the respective adjacent property owner.

Pursuant to N.J.S.A. 40:49-2 and N.J.S.A. 40:49-6, the Town Clerk shall cause this Ordinance to be published, together with notice of its introduction in a newspaper published and circulated within the Town of Hammonton, if there be one, and if not, in a newspaper printed in Atlantic County and circulating in the Town of Hammonton, once, not less than (10) ten days prior to the time fixed for Second Reading and final passage.

The Town Clerk shall, at least one (1) week prior to the time fixed for final passage of such Ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the Ordinance will be further considered for final passage, to every person whose lands may be affected by the Ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.

Upon final passage after Second Reading, the Town Clerk shall forthwith file a certified copy of the Ordinance in the office of the Town Clerk.

The Town Clerk shall, within sixty (60) days after this Ordinance becomes effective, file a certified copy of this Ordinance vacating the portion of Commerce Way, together with a copy of the proof of publication thereof, with the Office of the Atlantic County Clerk pursuant to N.J.S.A. 40:67-21.

All Ordinances or parts of Ordinances in conflict with this Ordinance or any part of it are hereby repealed as to the conflicting portion or portions, and this Ordinance shall take effect after final passage and publication with notice of the date of passage, according to 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 October 30, 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 November 27, 2023, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Oliva Second Wuillermin
Ordinance is open for public comment

Motion by Council Person R.Rodio Second Oliva
Ordinance was heard for public hearing and is adopted and approved for final advertisement

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

COMMITTEE REPORTS

Administration - Councilman Gribbin

- The admin. committee will meet in December
- Tax sale notices will be mailed on the 28th of November
- Thanked the Tri-vets for letting him give a speech at their event
- Congratulations to Hawks football for back to back championships.
- Town Tree lighting will be held December 2nd.
-

Business & Industry – Councilman Wuillermin

- Update on Mainstreet. Mica will have a coffee networking event on December 12 from 7:30 to 9:00 am at Handmade. Contact Mica at 609-567-9014.
- There was an informal meeting RCM LLC owner of the property on White Horse Pike and Pine Road. They want to construct a commercial bldg and warehouse. It is not permitted in this location; they will have to apply for a variance.

Quality of Life – Councilman Oliva

- Planning board will have the master plan available this week on our website.
- Homeless Committee has met every 2 weeks. They are working on each person on a case by case basis.
- Upcoming events: Tree lighting 12/2 at 6 pm, Fireman's Christmas Parade 12/9 at 7pm, 3rd Thursday 12/21 at 5pm, New Years Eve Bash 12/31/23 from 11 pm to 12:30am
- Wished his son Carmen a Happy Birthday.

Education - Councilwoman Renee Rodio

- School board meeting was on November 2nd.
- School Choice lottery will be on 12/7 at the media center
- Online survey for the new superintendent is available
- The school is in the process of purchasing 2 new school buses.

Public Works & Transportation Councilman Sam Rodio

- no action items at this time

Law & Order - Mayor DiDonato (given by Chief Friel)

- Winter fest will be on 12/2 and 12/3 from 11am to 6pm. It will be held at the My Carmel Grounds
- Tree Lighting December 2nd. There will also be carriage rides on School House Lane
- On 12/5 at Fire Company #2 there will be a Safety Car Seat inspection from 10 to 2pm
- Food collections will be every Thursday from 5 to 8 pm. You can drop any food donation to the Hammonton Police Dispatch.
- Christmas Parade will be on 12/9 and certain roadways will be closed for the event.
- The police department had 8 DUI arrests last week.

Water & Sewer - Councilman Furgione

- Water Safety Public notice letter from DEP was received.
- UV System is complete
- Centrifuse system will be installed January/February of 2024

ENGINEER REPORT

ACTION ITEMS:

Motion by Council Person Furgione Second Wuillermin

Approve 4th Street Water Tower Tank System proposal for \$11,400.00. Contingent upon 2nd reading approval and estoppel period of funding

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

Motion by Council Person Furgione Second Wuillermin

Approve Lakeview Gardens design of water lines not to exceed \$75,000.00. Contingent upon 2nd reading approval and estoppel period of funding

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

NJDOT Utility Agreement for White Horse Pike, Rt. #30 Improvement Program Weymouth Road to Pleasant Mills Road

A resolution for the project is on the agenda for Council's consideration which will allow reimbursement for work required by the MUD if needed on the project similar to the information/resolution passed last meeting.

2023 Road Resurfacing Program

The contractor (Arawak) has completed the resurfacing of the five (5) roadways with the mill and resurfacing contract with the exception of the placement of the pavement reflectors. Any remaining funds will be used for the Myrtle Street improvement project.

Myrtle Street Improvement Rt. #206 to Pine Road

Bids for the Myrtle Street Improvement project were received on Tuesday, 11/21/2023. Only one bidder responded. The price exceeded the funding available.

We are requesting the Mayor and Council reject the bid submitted by Arawak Paving Co. and authorize the project to be rebid and modify the scope to include a base bid and an alternate bid option for the project. We are also requesting that the Mayor and Council authorize ARH to modify the specs. as modified. The project ad will appear this Wednesday with bids to be received on Wednesday, 12/13/2023 at 11:00 a.m.

Resolution #157-2023- Reject Bids for Myrtle Street

**RESOLUTION REJECTING BIDS FOR
MYRTLE STREET IMPROVEMENTS**

WHEREAS, the Town of Hammonton received bids for the Boyer Avenue Pump Station Project on Tuesday November 21, 2023; and

WHEREAS, the bids received were in excess of the Engineer's estimate and the amount appropriated for the project; and

WHEREAS, the Town of Hammonton reserve the right to reject all bids.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton reject the bids for the Myrtle Street Improvements Project received on November 21, 2023.

Motion by Council Person S. Rodio Second Furgione
Reject Bids for Myrtle Street and approval to re-bid project

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

Town Public Works Schedule for December

The schedule for Trash, brush, leaf collection and recyclables, etc. for December is as follows:

Bulky waste, curbside pickup will be 12/4 through 12/8.

Curbside brush pickup will be 12/11 through 12/15.

The County Recycling pickup will be 11/27 through 12/1, 12/11 through 12/15, and 12/26 through 12/29. No pickup will occur on Christmas Day, 12/25, but will occur on 12/26.

Trash holiday schedule for December will be as follows:

Christmas Day, Monday, 12/25 will be picked up on Tuesday, 12/26.

Curbside leaf collection is in progress and planned to continue through Saturday, 12/23 as needed (updates to be provided).

TOWN CLERK REPORT

- 1) Approval to hire Juan Guzman as a Police Officer Effective December 11, 2023. Salary to follow current contract. Contingent upon all civil service rules and regulations.
- 2) Approval to hire Daniel Ramirez as a Police Officer Effective December 11, 2023. Salary to follow current contract. Contingent upon all civil service rules and regulations.
- 3) Approval to hire James Pinto as a class 2 officer. Effective November 27, 2023. 20 hours a week, \$30.00 per hour.

Motion by Council Person Gribbin Second Oliva

Approval of Items 1 to 3

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 Bond Ordinance #024-2023- Water Tank Painting/Lake View Gardens Water Line Design

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$2,235,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,235,000 BONDS OR NOTES TO FINANCE 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 to be undertaken by the Water Utility (the “Water Utility”) of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the “Town”) as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$2,235,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$2,235,000 appropriation, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$2,235,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Town in a principal amount not exceeding \$2,235,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

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

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(a) Water tank painting and construction management;	\$1,950,000	\$1,950,000	10 years
(b) Design of water lines at Lakeview Gardens/Cypress Court and;	\$85,000	\$85,000	5 years
(c) Structural usage of temporary water storage tanks.	\$200,000	\$200,000	5 years
TOTALS	<u>\$2,235,000</u>	<u>\$2,235,000</u>	

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

The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$2,235,000.

The estimated cost of said improvement or purpose is \$2,235,000.

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 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. 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 time as may be determined by the Chief Financial Officer of the Town, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Town shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

(a) The 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 for the Water Utility of the Town, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The 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 the said bonds authorized by this bond ordinance, is 9.36 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 in the 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 \$2,235,000, and the obligations authorized herein will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$447,000 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 purposes or improvements hereinbefore described.

(e) This bond ordinance authorizes obligations of the Town solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for purposes that are deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

SECTION 8. Unless paid from other sources, 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. Unless paid from other sources, 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. 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 Regulations §1.150-2. 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 herein used to reimburse the Town for costs of the improvements or purposes 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 herein 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 expenditure toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$2,235,000. 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 eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes 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 three (3) years after the expenditure is paid.

SECTION 10. The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time, as necessary, a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is, and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

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

SECTION 12. The Mayor, the Chief Financial Officer, the Town Administrator, and any other official/officer of the Town are each hereby authorized and directed to execute, deliver and perform any agreement necessary to undertake the improvements or purposes set forth herein and to effectuate any transaction contemplated hereby.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion by Council Person Furgione Second Wuillermin

Bond Ordinance #024-2023 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 #025 – 2023- Amending Chapter 175-87(c) & (f)

AN ORDINANCE TO AMEND CHAPTER 175 OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

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

1. Chapter 175, Section 175-87(C) is amended to read as follows:

C. Height of accessory buildings. The height of accessory buildings that do not contain dwelling units shall be limited to 20 feet to the roof peak. The height of detached accessory buildings in Downtown Districts shall follow the height restrictions for accessory building types as per §175-160(B) (20).

2. Chapter 175, Section 175-87(F), Subsections (1) through (4) are reduced to three Subsections and amended to read as follows:

(1) FA, AP, AP/CLI, and RR Zoning Districts – 3% of the Lot Area or 1,500 Square Feet, whichever is less;

(2) R3 Zoning District – 3% of the Lot Area or 1,000 Square Feet, whichever is less; and

(3) R1 and R2 Zoning Districts – 4% of the Lot Area or 700 Square Feet, whichever is less.

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 November 27, 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 December 18, 2023, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Wuillermin Second Oliva

Bond Ordinance #025-2023 has passed 1st reading is approved for publication

Roll Call:

Councilperson:
Furgione - No
Gribbin - Yes
Oliva - Yes
R.Rodio - Yes
S. Rodio – Yes
Wuillermin - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Introduction of Ordinance #026–2023 -Amending Chapter 175-117 (H)

AN ORDINANCE TO AMEND CHAPTER 175 OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

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

1. Chapter 175, a Section 175-117(H) is added which states as follows:

H. Any existing lot which contains a principal building used for a permitted principal use that meets the lot area and lot frontage requirements of §175-117(G) and lot coverage requirements of the applicable zoning district, but does not meet the applicable lot area, lot depth, lot frontage, lot width requirements of the applicable zoning district, and/or the principal building does not meet the applicable front yard, side yard, and rear yard setbacks and/or height requirements of the applicable zoning district, which are existing non-conforming conditions, may construct an addition to the principal building and/or construct an accessory structure on the lot without the need for a variance, provided that it can be demonstrated to the administrative officer that:

1. The accessory structure and/or building addition itself, does not violate any requirements of Chapter 175, including, but not limited to, height, setbacks, area, or parking.

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 November 27, 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 December 18, 2023, at 7:00 PM or as soon thereafter as the matter may be reached.

Motion by Council Person Oliva Second Gribbin

Bond Ordinance #026-2023 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 #148-2023- Setting Council Meeting Dates for 2024

Setting Time, Place and Date of Council Meetings

WHEREAS, the Open Public Meeting Act otherwise known as Chapter 231 of the Public Laws of 1975 requires that all municipalities adopt a Resolution setting the time, place and date of their meeting; and

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

1. There shall be an **Organization Meeting at 7:00 p.m. on Thursday January 4, 2024** at which time Mayor and Common Council of the Town of Hammonton will reorganize for the full year and conduct such business, including emergent matters, as is necessary. This meeting will be held in the Town Hall Council Chambers, 100 Central Avenue, Hammonton, New Jersey 08037. .
2. Monthly council meetings will begin at 6:00 p.m. with an executive session, if necessary, which will adjourn to the public portion of the meeting at 7:00 p.m., in the Town Hall Council Chambers, 100 Central Avenue, Hammonton, New Jersey 08037. These meeting are subject to change and maybe held by way of video conference. The following is the list of **Regular Council Meeting dates for year 2024**:

January 22nd

February 26th

March 25th

April 22nd

May 20th

June 24h

July 22nd

August 26th

September 23rd

October 28th

November 25th

December 16th

3. The Hammonton Gazette and the Atlantic City Press are those newspapers designated as the papers to which all notices are to be sent per Chapter 231 of the Public Laws of 1975.
4. Minutes shall be kept and provided as required by said statute by the Town Clerk of all the meetings set forth above and shall be available to the public pursuant to the requirements of said law.

Resolution #149-2023- Authorize Lady Guadalupe Procession

**RESOLUTION AUTHORIZING AND ENDORSING THE ANNUAL
“OUR LADY OF GUADALUPE SPANISH COMMUNITY PROCESSION”**

WHEREAS, St. Mary of Mt. Carmel continues to promote the Town of Hammonton with their annual “Our Lady of Guadalupe Spanish Community Procession”; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. Mary of Mt. Carmel; and

WHEREAS, December 11, 2023 4 p.m. to 7:00 p.m. is the scheduled date for the Spanish Community Our Lady of Guadalupe Procession; and

WHEREAS, St. Mary of Mt. Carmel 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:

Procession begins on Third Street at St. Mary of Mt. Carmel

To French Street

To Second Street

To Pleasant Street

To Tilton Street

To French Street and back to church

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 Town of Hammonton authorizes “Our Lady of Guadalupe Spanish Community Procession.”

Resolution #150-2023- 159 Budget Addition Safe Routs to School

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received notice from the State of New Jersey, Department of Transportation, Local Aid & Economic Development that an amount of \$385,049.46 is available and wishes to amend its 2023 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2023 in the sum of \$385,049.46 which has been awarded and is available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Sooy Elementary Area Sidewalk and ADA Ramp

BE IT FURTHER RESOLVED that a like sum of \$385,049.46 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Sooy Elementary Area Sidewalk and ADA Ramp

BE IT FURTHER RESOLVED, That the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services.

Resolution #151-2023- 159 Budget addition DDEF

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Town has received from the State of New Jersey Division of Motor Vehicles, DDEF funds in the amount of \$12,679.28 and wishes to amend its 2023 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2023 in the sum of \$12,679.28 which has been awarded and is available as a revenue from:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

DDEF

BE IT FURTHER RESOLVED that a like sum of \$12,679.28 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

DDEF

BE IT FURTHER RESOLVED, That the Town Clerk forward a certified copy of this resolution to the Director of Local Government Services

Resolution #152-2023- 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:

Select Modular Homes	\$ 100.00	Refund Escrow
David Wuillermin	\$ 217.50	Refund Escrow
Joseph Celona	\$ 462.50	Refund Escrow
Charles Patton	\$ 630.00	Refund Escrow
Joseph Berenato	\$ 141.25	Refund Escrow
Primax Properties	\$ 357.25	Refund Escrow
Joseph Calabria	\$ 102.50	Refund Escrow
Eric Corenhaver	\$ 750.00	Refund Escrow
William Calabria	\$ 879.00	Refund Escrow
MB Taylor Lodge	\$ 192.50	Refund Escrow
Brian Nicholls	\$ 200.00	Refund Escrow
Onyx Equities, LLC	\$ 122.80	Refund Escrow
John Lyons	\$ 436.25	Refund Escrow
Asphalt Paving	\$ 203.75	Refund Escrow
Onyx Equities, LLC	\$ 4,145.30	Refund Escrow
Anthony Celona	\$ 652.00	Refund Escrow
Ashton Holdings	\$ 862.50	Refund Escrow
Brad Esposito	\$ 267.50	Refund Escrow
Sandra Bourguignon	\$ 737.50	Refund Escrow
Bellevue Properties	\$ 352.50	Refund Escrow
Robert Cafoferri	\$ 302.50	Refund Escrow
Ashton Holdings	\$ 862.50	Refund Escrow
Brian Howell	\$ 940.00	Refund Escrow
Adrienne Esposito	\$ 305.00	Refund Escrow
Mark Kozlowski	\$ 715.00	Refund Escrow
Paul Sacco Football Acct	\$ 1,613.75	Refund Escrow
Mary Ann Domenica	\$ 592.50	Refund Escrow
Michael Ford	\$ 527.50	Refund Escrow
Verizon	\$ 2,247.50	Refund Escrow
Lucca Realty	\$ 137.50	Refund Escrow
James Matro	\$ 250.00	Refund Escrow

Resolution #153-2023- 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>
3603/13	Scaffidi, James	122 Berwyn Ave	\$1,709.01	Overpayment Taxes
2302/1,C0026	Boyd, Alice	26 Deborah Lane	\$ 631.42	Overpayment Taxes
1901/8.03	Bucci, Linda	587 N 1 st Road	\$1,026.66	Overpayment Taxes
3302/6	Olivares, Zenis,	21 Broadway	\$2,072.11	Overpayment Taxes
3701/10	Mahoney/ Kimberlee	142 Egg Harbor Rd	\$1,709.01	Overpayment Taxes
Various	Corelogic	Various	\$7,106.90	Overpayment Taxes

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 #154-2023- Approval of grant application for Lake Park

Resolution to approve grant application to the State of New Jersey Department of Community Affairs

Whereas, the Town of Hammonton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$200,000.00 to carry out a project for improvements to the Hammonton Lake Park.

Be it therefore RESOLVED,

- 1) that the Town of Hammonton does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Town of Hammonton and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the Mayor and the Municipal Clerk are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Resolution #155-2023- 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 from the 2023 Budget appropriations:

<u>CURRENT FUND</u>	
From: Police Salary & Wages	\$ 6,500.00
From: Municipal Court Salary & Wages	\$ 6,300.00
To: Administration Salary & Wages	\$ 2,000.00

To: Assessor Salary & Wages	\$ 500.00
To: Other Code Salary & Wages	\$ 2,000.00
To: Public Bldgs Grounds Operating Supplies	\$ 8,300.00

Resolution #158-2023- Authorize Agreement with NJDOT Route 30

AUTHORING THE EXECUTION OF AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 30 WHITE HORSE PIKE CORRIDOR CR 542 PLEASANT MILLS ROAD TO WEYMOUTH ROAD (CR 640) IMPORVEMENT PROJECT

WHEREAS the New Jersey Department of Transportation desires to perform ROUTE 30 WHITE HORSE PIKE CORRIDOR CR 542 PLEASANT MILLS ROAD TO WEYMOUTH ROAD (CR 640) IMPROVEMENT PROJECT within the Town of Hammonton

NOW, THEREFORE BE IS RESOLVED that the Mayor and Council of the Town of Hammonton, formally approves the execution of an Agreement with the New Jersey Department of Transportation for the above stated project; and

BE IF FURTHER RESOLVED that Anthony DeCicco, licensed Municipal Utility Department Superintendent is hereby authorized to sign the Agreement on behalf of the Town of Hammonton, and that his signature constitutes acceptance of the terms and conditions of the Agreement and approve the execution of the Agreement.

Resolution #159 – 2023- Waving Interest on Tax Sale Certificate

RESOLUTION WAIVING INTEREST ON TAX SALE CERTIFICATE NO.106-97 OWNED BY THE TOWN OF HAMMONTON

WHEREAS, on December 29, 1997, the Town of Hammonton acquired Tax Sale Certificate No. 106-97 for unpaid real property taxes owed on Lot 4 of Block 2606 (the "Property"); and

WHEREAS, Tax Sale Certificate No. 106-97 was filed in the Atlantic County Clerk’s Office on March 23, 1998, in Book 6499 at Instrument No. 0010732; and
WHEREAS, the total redemption amount owed on Tax Sale Certificate No. 106-97 as of November 27, 2023, is \$96,362.48, which consists of \$34,596.81 in principal, \$61,760.89 in interest, and a redemption penalty of \$4.78; and

WHEREAS, a discharge occurred at the Property in violation of the New Jersey Spill Compensation and Control Act that resulted in two contaminated areas of concern on the Property; and

WHEREAS, the owner of the Property retained a licensed site remediation professional pursuant to N.J.S.A. 58:10C-1, et. seq. ("LSRP"), and completely remediated the Property; and

WHEREAS, as a result of the remediation the LSRP issued an Unrestricted Response Action Outcome ("RAO") on February 20, 2020; and

WHEREAS, the New Jersey Department of Environmental Protection found the RAO was protective of public health, safety and the environment and did not utilize its three (3) year audit authority pursuant to N.J.S.A. 58:10C-25; and

WHEREAS, the owner of the Property incurred significant cost and expense in undertaking the remedial actions set forth above; and

WHEREAS, the Town finds and declares that it is in the best interest of the Town to waive the interest owed to the Town on Tax Sale Certificate No. 106-97, in light of the Property owner's remediation of the Property.

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

1. All accrued interest and future interest owed to the Town under Tax Sale Certificate No. 106-97 is hereby waived, provided the Amount Owed, as defined in Number 2 below, is paid within ninety (90) days of the date of this Resolution.
2. The Property owner shall be responsible to pay only the principal and redemption penalty owed to the Town under Tax Sale Certificate No. 106-97 (collectively the "Amount Owed"), provided the Amount Owed is paid within ninety (90) days of the date of this Resolution.
3. If the Amount Owed is not paid within ninety (90) days of the date of this Resolution, then all accrued and future interest, principal and the redemption penalty shall be owed to the Town under Tax Sale Certificate No. 106-97.

Motion by Council Person Gribbin Second Oliva
Resolutions #148 to #155 and 158 -159 are approved.

Roll Call

Councilperson:

Furgione – Yes

Gribbin - Yes

Oliva – Yes

R. Rodio- Yes

S. Rodio – Yes

Wuillermin - Yes

Mayor DiDonato – Yes to all but 152-2023 no

Mayor DiDonato declares motion is carried

PUBLIC HEARD

Cheryl Calletta 442 Elm Street- Noise problem in her neighborhood. Loud music plays all the time and her windows shake. There is an ordinance on the books but it is not strong enough. We will discuss this in the Law and order committee.

MEETING ADJOURNED

Motion by Council Person Gribbin Second Oliva