

Regular Meeting of Mayor and Council January 27, 2025
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

CLOSED SESSION MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:

Furgione -

Gribbin –

Marino -

Oliva-

R. Rodio-

S. Rodio –

Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor

EXECUTIVE SESSION Resolution #024-2025

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione -

Gribbin –

Marino -

Oliva-

R. Rodio-

S. Rodio –

Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor

Mark Herrmann of ARH, Town Engineer

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Regular Minutes December 16, 2024

Executive Minutes December 16, 2024

Re-organization Minutes January 7, 2025

PRESENTATION

- Police Chief Kevin Friel- Promotions

- Retirement of Vincent Passalacqua Crossing Guard
- Triad Associates Lake Park Grant application (Jake's Law)

DISPENSE WITH REGULAR ORDER OF BUSINESS

COMMITTEE REPORTS

- Administration - Councilman Gribbin**
- Business & Industry – Councilman Oliva**
- Quality of Life – Councilwoman R. Rodio**
- Education – Councilman Marino**
- Public Works & Transportation Councilman S. Rodio**
- Law & Order – Mayor DiDonato**
- Water & Sewer - Councilman Furgione**

ENGINEER REPORT

ACTION ITEMS:

1. Thirteenth Street Drainage Issues (ARH #P2024.0905)

A proposal was requested to perform land surveying services along Thirteenth Street and the Clark Farm frontage due to continuous flooding issues. Our proposed services include establishing the right-of-way along the farm parcel and obtaining topographic elevations along the length of the property. A base plan will also be created. A proposal for these services has been submitted for Council's consideration.

Action Item

Approve ARH's proposal for Land Surveying services for an amount not to exceed \$6,000.

2. Lake Park ADA Playground/Small Cities (ARH #11-90032)

The Town has received numerous grants for improvements at Hammonton Lake Park. One specific grant is for the installation of ADA compliant walkways and bleachers. This time-sensitive grant must be expended before September 2025. Design, bidding, and management services are required to advance this project. A proposal was requested for these services and has been submitted for Council's consideration.

Action Item

Approve ARH's proposal for Engineering Services for an amount not to exceed \$55,000.

PUBLIC WORKS INFORMATION ITEMS:

Roadway & Transportation Projects:

3. NJDOT FY2022/FY2023 Municipal Aid: Old Forks Road (ARH #11-40061) Ongoing

Work has been paused due to the weather. The Contractor anticipates returning to the site to install the water services and lower three sanitary sewer laterals within the next two weeks. Paving will occur in the spring.

4. NJDOT FY2023 Safe Streets to Transit: Front Street (ARH #11-40063): **Ongoing**

The field work and base map are complete. We are working on the plans and specifications to submit to the NJDOT for review.

5. NJDOT FY2024 Municipal Aid: Old Forks Road Phase 3 (ARH #11-40061) **Ongoing**

Design for the final section of Old Forks Road has begun.

6. **11th Street Sidewalk Improvements (ARH #11-40062)** **95% Complete**
Our office has completed the design of the 11th Street Sidewalk project. We are awaiting approval from the NJDOT to advertise for bidding.
7. **Hammonton Bike Path Connector – Phase II (ARH #11-40052.07)** **90% Complete**
Our office is coordinating with the NJDOT and NJTRANSIT on the proposed bike path rail crossing. We have also requested clarification on the possibility of extending the bike path limits through Hammonton Lake Park and tie into the existing path on Egg Harbor Road/Moss Mill Road.
8. **MS4Program Compliance (ARH #91-00199.14):** **Ongoing**
Our staff continues with the data collection and mapping of the Town's storm sewer infrastructure.

Environmental Projects:

9. **K&K Linens Property / 224 Vine Street (ARH #P2023.0386):** **Ongoing**
Our office continues to perform monitoring and testing at the Vine Street property.
10. **Mazza Muffler Site / 104 S. Egg Harbor Road (ARH #P2024.0340):** **Ongoing**
We continue to work with the site LSRP performing site investigation and monitoring.
11. **Octagon Oil/Vine Street Parking Lot (ARH #11-01060):** **Ongoing**
The Remedial Action Permit (RAP) remains under review by the NJDEP.
12. **Skinner Property / 317 N. Egg Harbor Road (ARH #11-01074.06):** **Ongoing**
We will be preparing a new grant application to the State's Hazardous Discharge Site Remediation Program to continue funding our investigation and monitoring efforts. A proposal will be presented to the Town in the future to perform that work.
13. **Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054):** **Ongoing**
We will be preparing a new grant application to the State's Hazardous Discharge Site Remediation Program to continue funding our investigation and monitoring efforts. A proposal will be presented to the Town in the future to perform that work.

SEWER/WATER INFORMATION ITEMS:

14. **Route 54 Water Main Replacement Project (ARH #11-30167):** **80% Complete**
ARH continues to work with Triad Associates to obtain funding from the State's Water Bank Financing Program.
15. **Boyer Avenue Pump Station (ARH #11-50058):** **90% Complete**
Plans and specifications are being finalized to advertise the project for public bidding. We supplied an Engineer's Estimate to the Business Administrator. Once complete, we will advertise for bid.
16. **Lakeview Gardens Water Main Extension (ARH #11-30172)** **90% Complete**
We have obtained approval from the NJDEP Bureau of Safe Drinking Water. We are now finalizing the bid specifications. A meeting with the neighborhood residents will be scheduled in February
17. **Water Quality Accountability Act Compliance (ARH #11-30166):** **Ongoing**
Our office has received approximately 30% of the expected responses to the lead service line survey we created. We continue to draft policy, notification, prioritization, funding, and implementation documents, which will also include annual LSL reporting to the state and GIS updates.
18. **Sanitary Sewer Study & Rehabilitation Program (ARH #P2023.0270):** **Ongoing**

We are investigating the potential to perform pipe rehabilitation without a completed study, focusing on areas with known issues and failures.

GENERAL SITE AND RECREATION INFORMATION ITEMS:

19. Lake Park ADA Playground/Small Cities (ARH #11-90032):

Submitted

We have received our first review letter from the Pinelands Commission and are working towards satisfying stormwater management issues.

SOLICITOR REPORT

MAYOR REPORT

Public Works Report

- **Airport Taxiway Project**

The markings on Taxiway have been completed. Engineer has developed punch list for any outstanding items for contractor. Project should be complete by end of month.

- **USDOT SS4 Project**- The adjustment to the budget line items were submitted the in December. Meeting with State to review scheduled for January 31st. We are working with Triad Associates to identify grants additional grant that will contribute towards the Towns match.

Town Public works Schedule February

Trash collection:

Monday February 17th Presidents day – Collection will be on Tuesday February 18th. There will be no collection services on Monday.

Bulky waste pickup for February - will be from the 3rd to the 7th.

Brush pickup for February - will be the 10th through 14th.

The County Recycling pickup for February will be 3rd through the 7th, and the 17th to the 21st.

TOWN CLERK REPORT

1. Correct appointments for Parks Commission. Appoint Shawn McCloud as Alternate I with a 2 year term and Appoint Jason Wilson to Alternate II with a 1 year term.
2. Law and Order Committee correction chairperson will be Mayor DiDonato.

APPROVAL OF BILL LIST

NEW BUSINESS

Introduction of Ordinance #001-2025- Lincoln Street One-way and Angled Parking

**AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Articles 10 and 20 One-Way Streets and Angle Parking**

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-10 and 271-20 be added as follows:

<u>Name of Road</u>	<u>Zone Description</u>	<u>Movement/ Parking</u>
Lincoln Street	between Bellevue Ave and Passmore Ave	1 Way Only East Bound
Lincoln Street	between Bellevue Ave and Passmore Ave	Angle Parking on North Side

BE IT FURTHER ORDAINED that, all ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

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

RESOLUTIONS

Resolution #025-2025- Adjust Police Outside detail rate

A RESOLUTION AMENDING RESOLUTION #176-2019 A FORM AGREEMENT TO BE UTILIZED BY THE TOWN OF HAMMONTON AND THE HAMMONTON POLICE DEPARTMENT

WHEREAS, Police Officers of the Town of Hammonton are periodically employed by private industry and other public agencies to conduct traffic control and security work or such other services as may be requested; and

WHEREAS, in order to set forth the terms and conditions of this “detail work” the Town has adopted a form agreement to be used for those occasions when Police Officers are so employed; and

WHEREAS, Mayor and Council has determined that the Agreement shall set forth the rates of compensation as well as insurance coverage and other requirements.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the Town of Hammonton in the County of Atlantic and State of New Jersey that the form agreement is amended by the following: the outside detail rate for **School/Town Officer** is set at an hourly rate of \$80.00 and an additional \$20.00 for any Vehicle use.

Resolution #026-2025- Approval to enter into and accept the NJEDA Grant (Wells Fargo)

A RESOLUTION AUTHORIZING THE TOWN TO ENTER INTO AND ACCEPT A GRANT FROM THE LOCAL PROPERTY ACQUISITION GRANT PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY (NJEDA)

WHEREAS, the Town of Hammonton has applied for and has been awarded a grant in the amount up to \$544,663.00 from the Local Property Acquisition Grant Program through the New Jersey Economic Development Authority (NJEDA) for the purchase of 236 Bellevue Avenue (Block 2815, Lot 1 Wells Fargo Bank Building).

WHEREAS the Town of Hammonton is an eligible applicant for the Local Property Acquisition Grant Program through NJEDA for the acquisition of 236 Bellevue Avenue (Block 2815, Lot 1 Wells Fargo Bank

Building). This property will be the future development project that was in the application approved by the NJEDA Board.

FURTHERMORE, the Mayor and/or the Municipal clerk are authorized and designated to accept and execute all grant documents pertaining to this grant, as representatives for the Town of Hammonton.

NOW, THEREFORE, BE IT RESOLVED the governing body of the Town of Hammonton is authorizing the Town to enter into and accept NJEDA Local Property Acquisition grant in the amount of \$544,633.00.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

Resolution # 027-2025- Approval of Saint John Procession

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

WHEREAS, St. John the Baptist Society was founded in 1910, for the purpose of Holding a celebration for the feast of St. John on his feast day (on or about June 24th)

WHEREAS, Mayor and Council continue to promote the Town of Hammonton with their annual "St. John" procession; and has and continues to support the efforts of St. John the Baptist Society; and

WHEREAS, **Tuesday June 24, 2025 at 7:00** p.m. is the scheduled date for the Feast of St. John religious procession to be held in the Town of Hammonton; and

WHEREAS, St. John the Baptist Society 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.) to Bellevue Ave
Straight Across Bellevue onto South Third Street
Left onto Vine Street back to Bellevue Ave
Across Bellevue to Tilton onto Mt. Carmel
Left onto Pratt Street, left onto Second Street
Left onto French and back to St Joseph 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 **Procession of St. John** is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. John the Baptist Society 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 #028-2025- Authorizing 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>
1601/56.01	Lockwood, Brian	877 7 th St	\$7,437.28	Cancel/Exempt Vet
2709/43	Brita, Edward	505 Pratt St	\$3,438.63	Cancel/Exempt Vet
3004/27	Henao, Yomaira	267 Park Ave	\$2,732.95	Cancel/Exempt Vet
2301/15	Schuler, Dale	695 Fairview Ave	\$3,186.82	Cancel/Exempt Vet
2514/5	116 Lincoln Ave	116 Lincoln Ave	\$2,330.95	Cancel/Exempt Vet
2602/10	Rehmann, Jack	431 Bernshouse Rd	\$2,921.25	Cancel/Exempt Vet
2709/20.01	Castro, Roman	450 Bella Vita Ct	\$5,164.13	Cancel/Exempt Vet
1902/27	King, Jeffrey	566 Anderson Ave	\$4,035.81	Cancel/Exempt Vet
1802/21	Perazza, Ronald	602 N White Horse Pk	\$3,848.67	Cancel/Exempt Vet
2418/2	West End Develop	120 N Washington St	\$1,548.00	Cancel/Subdivision
2418/3	West End Develop	116 N Washington St	\$229.79	Cancel/Subdivision
2418/4	West End Develop	115 W Orchard St	\$916.42	Cancel/Subdivision
2418/7	West End Develop	107 W Orchard St	\$57.79	Cancel/Subdivision
2418/8	West End Develop	112 W Pleasant St	\$19.27	Cancel/Subdivision
2417/1	West End Develop	101 West End Ave	\$4,736.19	Cancel/Subdivision
2413/16	West End Develop	201 W Pleasant St	\$1,457.19	Cancel/Subdivision

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 #029-2025- Authorize application for Green Acres Grant Lake Park

**ENABLING AND AUTHORIZING GREEN ACRES APPLICATION
FOR A JAKE’S LAW PLAYGROUND AT HAMMONTON LAKE PARK**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides grants and/or loans to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Town of Hammonton (“applicant”) desires to further the public interest by obtaining total funding in the amount of \$744,160.22, in the form of a \$744,160.22 matching grant and, if available, a \$0 loan, from the State to fund the following project(s): a Completely Inclusive Jake’s Law Playground, to be located at Hammonton Lake Park at a cost of \$992,213.62 (total project cost); and

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

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

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

1. Mayor Stephen DiDonato, or the successor to the office of Mayor, is hereby authorized to: a. make application for such a loan and/or such a grant, b. provide additional application information and furnish such documents as may be required, and c. act as the authorized correspondent of the above-named applicant;
2. The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required, in the amount of \$248,053.40
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. This resolution shall take effect immediately.

Resolution #030-2025- Approval to participate in LEAP program for highway Digital signs

**PARTICIPANT'S RESOLUTION
LEAP IMPLEMENTATION GRANT**

WHEREAS, the State of New Jersey has appropriated \$6 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development, and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the Atlantic County Government and City of Absecon, City of Atlantic City, City of Brigantine, Buena Borough, Buena Vista Township, City of Corbin City, Egg Harbor City, Egg Harbor Township, Estell Manor, Borough of Folsom, Galloway Township, Town of Hammonton, Hamilton Township, City of Linwood, Borough of Longport, City of Margate, City of Northfield, City of Port Republic, City of Somers Point, City of Ventnor, and Atlantic Cape Community College propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is for the county to purchase three highway digital message boards and make them available to the participating units on an as needed basis at no cost, which will benefit the residents of all participating local units; and

WHEREAS, Atlantic County Government has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the (YOUR ORGANIZATION), that the (YOUR ORGANIZATION) does hereby join with Atlantic County Government in applying for a LEAP Implementation Grant in the amount of \$57,375.00 to support implementation of this shared service.

Resolution #031-2025 Approval to participate in LEAP program for speed feedback signs

PARTICIPANT'S RESOLUTION

LEAP IMPLEMENTATION GRANT

WHEREAS, the State of New Jersey has appropriated \$6 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development, and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the Atlantic County Government and City of Absecon, City of Atlantic City, City of Brigantine, Buena Borough, Buena Vista Township, City of Corbin City, Egg Harbor City, Egg Harbor Township, Estell Manor, Borough of Folsom, Galloway Township, Town of Hammonton, Hamilton Township, City of Linwood, Borough of Longport, City of Margate, City of Northfield, City of Port Republic, City of Somers Point, City of Ventnor, and Atlantic Cape Community College propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is for the county to purchase three speed feedback signs and make them available to the participating units on an as needed basis at no cost, which will benefit the residents of all participating local units; and

WHEREAS, Atlantic County Government has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the (YOUR ORGANIZATION), that the (YOUR ORGANIZATION) does hereby join with Atlantic County Government in applying for a LEAP Implementation Grant in the amount of \$28,125.00 to support implementation of this shared service.

Resolution #032-2025- Affordable Housing – Detail to be supplied at meeting

RESOLUTION OF THE TOWN OF HAMMONTON COMMITTING TO FOURTH ROUND PRESENT AND PROSPECTIVE NEED AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, the Town of Hammonton (hereinafter the “Town” or “Hammonton”) has a demonstrated history of voluntary compliance as evidenced by its Third Round record; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 15, 2015, the Town of Hammonton filed a Declaratory Judgment Complaint in Superior Court, Law Division seeking, among other things, a judicial declaration that its Third Round Housing Element and Fair Share Plan, to be amended as necessary, satisfied its “fair share” of the regional need for low and moderate income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, that culminated in a Court-approved Third Round Housing Element and Fair Share Plan and Judgment of Compliance and Repose, which precludes all Mount Laurel lawsuits, including builder’s remedy lawsuits, until July 7, 2025; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law P.L. 2024, c.2, which amended the 1985 New Jersey Fair Housing Act (hereinafter the “Amended FHA”); and

WHEREAS, the Amended FHA required the Department of Community Affairs (“DCA”) to provide an estimate of the Fourth Round affordable housing obligations for all municipalities on or before October 20, 2024, based upon the criteria described in the Amended FHA; and

WHEREAS, the DCA issued a report on October 18, 2024 (“DCA Report”) wherein it reported its estimate of the Fourth Round affordable housing obligations for all municipalities based upon its interpretation of the standards in the Amended FHA; and

WHEREAS, the DCA Report calculates the Town’s Fourth Round (2025-2035) obligations as follows: a Present Need (Rehabilitation) Obligation of 64 and a Prospective Need (New Construction) Obligation of 49; and

WHEREAS, the Amended FHA further provides that, irrespective of the DCA’s calculations, municipalities have the ability to either accept, or provide alternate calculations for, the DCA’s “present and prospective fair share obligation(s) ... by binding resolution no later than January 31, 2025”, a deadline which was later extended to February 3, 2025 by the Administrative Office of the Courts (“AOC”) via a directive issued on December 13, 2024; and

WHEREAS, the Town’s affordable housing professionals have reviewed the Present Need calculations and the Prospective Need calculations published by the DCA and have recommended that the Town adopt these calculations as the Town of Hammonton’s Fourth Round affordable housing obligations; and

WHEREAS, this Resolution satisfies the requirements of the Amended FHA by accepting the DCA’s estimate of the Town’s Present and Prospective Need for the Fourth Round (2025-2035), as described in the DCA Report; and

WHEREAS, Section 3 of the Amended FHA provides that: “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of the Amended FHA; and

WHEREAS, the Town’s acceptance of the Fourth Round obligations calculated by the DCA are entitled to a “presumption of validity” because it complies with Sections 6 and 7 of the Amended FHA; and

WHEREAS, in addition to the foregoing, the Town specifically reserves the right to adjust its fair share obligations in accordance with applicable DCA regulations or other applicable law based on one or more of the foregoing adjustments if applicable: 1) a windshield survey or similar survey which accounts for a higher-resolution estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment, whether predicated upon lack of sewer or lack of water; and/or 4) an adjustment predicated upon regional planning entity formulas, inputs or considerations, including but not limited to, the Highlands Council Regional Master Plan and its build out, or the Pinelands Commission or Meadowlands Commission regulations and planning documents; and

WHEREAS, in addition to the foregoing, the Town specifically reserves all rights to revoke or amend this Resolution and commitment, as may be necessary, in the event of a successful challenge to the Amended FHA in the context of the case The Borough of Montvale et al. v. the State of New Jersey et al. (MER-L-1778-24), any other such action challenging the Amended FHA, or any legislation adopted and signed into law by the Governor of New Jersey that alters the deadlines and/or requirements of the Amended FHA and any regulations promulgated thereto; and

WHEREAS, in addition to the foregoing, the Town reserves the right to take a position that its Fourth Round Present or Prospective Need Obligations are lower than described herein in the event that a third party challenges the calculations provided for in this Resolution (a reservation of all litigation rights and positions, without prejudice); and

WHEREAS, in addition to the foregoing, nothing in the Amended FHA requires or can require an increase in the Town’s Fourth Round Present or Prospective Need Obligations based on a successful downward challenge of any other municipality in the region since the plain language and clear intent of the Amended FHA is to establish unchallenged numbers by default on March 1, 2025; and

WHEREAS, in addition to the foregoing, the Acting Administrative Director of the AOC issued Directive #14-24 (hereinafter “AOC Directive”) on December 13, 2024; and

WHEREAS, pursuant to AOC Directive #14-24, a municipality seeking a Fourth Round Compliance Certification from the entity created by the Amended FHA known as the Affordable Housing Dispute Resolution Program (hereinafter “the Program”), shall file an action in the appropriate venue with the Program, in the form of a Declaratory Judgment Complaint within 48 hours after adoption of the municipal resolution accepting or challenging its Fourth Round fair share obligations, or by February 3, 2025, whichever is sooner; and

WHEREAS, nothing in this Resolution shall be interpreted as an acknowledgment of the legal validity of the AOC Directive and the Borough reserves any and all rights and remedies in relation to the AOC Directive; and

WHEREAS, the Town seeks a Compliance Certification from the Program and, therefore, wishes to file a Declaratory Judgment Complaint in the appropriate venue with the Program, along with a copy of this Resolution, within 48 hours of the adoption of this Resolution; and

WHEREAS, in light of the above, the Mayor and Town Council finds that it is in the best interest of the Town to declare its obligations in accordance with this binding Resolution and in accordance with the Amended FHA; and

NOW THEREFORE BE IT RESOLVED on this 27th day of January 2025, by Council of the Town of Hammonton, as follows:

1. All of the Whereas Clauses are incorporated into the operative clauses of this Resolution as if set forth in full herein.
2. For the reasons set forth in this Resolution, Mayor and Town Council hereby commit to the DCA Fourth Round Present Need (Rehabilitation) Obligation of 64 and the DCA Fourth Round Prospective Need (New Construction) Obligation of 49 as described in this Resolution, subject to all reservations of rights, which specifically include, without limitation, the following:
 - a. The right to adjust the Town’s fair share obligations based on a windshield survey or similar survey, a Vacant Land Adjustment, a Durational Adjustment, and all other applicable adjustments, permitted in accordance with applicable DCA regulations or other applicable law; and
 - b. As described in the WHEREAS section, all rights to revoke or amend this Resolution in the event of a successful legal challenge, or legislative change, to the Amended FHA; and
 - c. The right to take any contrary position, or adjust its fair share obligations, in the event of a third party challenge to the Town’s fair share obligations.
3. Pursuant to the requirements of the FHA as amended, and the Administrator of the Court’s AOC Directive #14-24 issued on December 13, 2024, the Town hereby directs its solicitor to file a Declaratory Judgment Complaint, along with this Resolution and a Case Information Statement (Civil CIS), in the appropriate venue with the Program or any other such entity as may be determined to be appropriate, and to initiate such action within 48 hours of the adoption of this Resolution, so that the Town’s Fourth Round Housing Element and Fair Share Plan can be reviewed and approved.
4. This Resolution shall take effect immediately, according to law.

Resolution #033-2025- Approval of the Lady of Mt. Carmel Festival 150 Celebration

**AUTHORIZE THE “FEAST OF OUR LADY OF MT. CARMEL” PROCESSION,
CARNIVAL & FIREWORKS**

WHEREAS, July 14th through July 19th is the scheduled date for the Lady of Mt. Carmel carnival and events in the Town of Hammonton; and

WHEREAS, the Mt. Carmel Society has requested assistance of the Town of Hammonton Police Department and the closing of Tilton Street aka "Mt. Carmel Lane" (between French and Pratt) and Third Street (between Pratt and Pleasant) during the week of the carnival; and

WHEREAS, July 16th is the scheduled date for processions, (times may vary at discretion of Hammonton Police Chief) and the Mt. Carmel Society requests police patrol and road closures of the following streets and times:

9:00 a.m. to 12 p.m. procession- with a Band through the Streets of Hammonton

From Place of Origin on Third Street to intersection of Third Street and Fairview Avenue
Continue on Fairview Ave to Egg Harbor Road to intersection of Egg Harbor Road and Bellevue Ave
Continue to Intersection of Bellevue Avenue and Third Street
Continue on Third Street to its conclusion at point of origin

4:00 p.m. procession

From St. Mary of Mt. Carmel Church west (N. Third Street to Fairview Avenue)
Continue south on Fairview Avenue to N. Egg Harbor Road
Continue east on N. Egg Harbor Road to Bellevue Avenue (Route 54)
Continue north on Bellevue Avenue to N. Third Street
Conclude west on N. Third Street and conclude procession at place of origin

WHEREAS, July 16th is the scheduled date for fireworks event, there will be no rain date

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON that the Lady of Mt. Carmel carnival, procession and fireworks are approved along with police traffic patrol and trash cleanup contingent upon the following:

1. Filing of necessary insurance certificate by Mt. Carmel Society.
2. Filing of required State and County road closure approvals with the Town Clerk's office.
3. Contacting Police Chief and Public Works Manager 2 months prior to event.

Resolution #034-2025- Approval of 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:

Donio, Dennis	\$	338.75	Refund Escrow
---------------	----	--------	---------------

Resolution # 035-2025- Approval of 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 from the 2024 Budget appropriations reserves:

CURRENT FUND

From:	Police – Salaries and Wage	\$ 75,000.00
To:	Electric -Operating Expense	\$ 62,000.00
To:	Legal - Operating Expense	\$ 13,000.00

UTILITY FUND

From:	Salaries and Wage	\$ 47,000.00
To:	Utility Operating Expense	\$ 47,000.00

PUBLIC HEARD

MEETING ADJOURNED