

Agenda Regular Meeting of Mayor and Council – March 24, 2014
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.
Agendas & Minutes can be viewed at www.townofhammonton.org

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilman:
Bachalis -
Esposito –
Gribbin -
Pullia -
Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Brian Howell, Town Solicitor
Jerry Barberio, PWM/Business Administrator

Executive Session #041-2014

#R041-2014

BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton that, in accordance with the “Open Public Meetings Act,” an Executive Session is authorized on this below adopted date, for the purpose of discussing and/or acting upon:

1. Personnel Actions

BE IT FURTHER RESOLVED, that the minutes of any matters discussed in Executive Session shall be released to the public as soon as reasonably possible after Mayor and Council conclude that the basis for exclusion of the public ceases to exist.

RESUME REGULAR MEETING-ROLL CALL

Councilman:
Bachalis -
Esposito –
Gribbin -
Pullia -
Rodio –
Wuillermin -
Mayor DiDonato -

PRESENT ALSO

Brian Howell, Town Solicitor
Bob Vettese of ARH, Town Engineer
Jerry Barberio, PWM/Business Administrator

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, there will be an allowable time of five minutes per person who wishes to speak during Public Heard per the Rules of Council.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Executive Session 02/24/14

Regular Meeting 02/24/14

Special Executive Session 03/10/14

Special Meeting 03/10/14

DISPENSE WITH REGULAR ORDER OF BUSINESS

St. Joseph High School Football Team

Hearing Bond Ordinance #007-2014 Boyer Avenue Drip Irrigation

Ordinance #007-2014 Boyer Avenue Drip Irrigation

BOND ORDINANCE PROVIDING FOR THE BOYER AVENUE DRIP IRRIGATION PROJECT IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$500,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS OR NOTES OF THE TOWN TO FINANCE THE COST THEREOF

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

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Town of Hammonton, in the County of Atlantic, New Jersey (the "Town"). For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$500,000. No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible from the gross debt of the Town, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the drip irrigation system at the recreation site located on Boyer Avenue in the Town, including all work and materials necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation 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 bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence

as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest 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 bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Town may lawfully undertake as a self-liquidating purpose of a municipal public utility. No part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. 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 and notes provided in this bond ordinance by \$500,000, but that the net debt of the Town determined as provided in the Local Bond Law is not increased by this bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 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 purpose or improvement.

(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 a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the Town pursuant to N.J.S.A. 40A:2-44(c).

Section 7. The Town hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Town hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the obligations, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the obligations. The Chief Financial Officer is hereby authorized to act on behalf of the Town to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Town hereby declares the intent of the Town to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. 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 ARule@) 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 10. 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 real property within the Town for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

COMMITTEE REPORTS

Administration -Councilman Esposito

Business & Industry-Councilman Gribbin

Education & Quality of Life-Councilman Bachalis

Public Works & Transportation-Councilman Rodio

Law & Order-Mayor DiDonato

Water & Sewer – Councilman Wuillermin

ENGINEER REPORT

SEWER & WATER ACTION ITEMS:

1. **Boyer Avenue Overland/Surface Drip Irrigation Fence Construction (ARH #P2014.0059):**

We were requested to provide a cost to complete a general stake-out of the property line along the southerly side of Sewell Avenue and the northeasterly side of Seventh Street as they abut the Overland/Surface Drip Irrigation area. Upon checking with our survey staff, it is estimated that the general stakeout as noted above could be completed for \$1,850. Any new fence installation should be kept at least one (1) foot inside the staked line.

We were also requested to provide assistance to the Town Business Administrator in drafting the materials list specifications, if needed, so that the Town could receive bids for project construction along with general needs along the construction phases for the Overland Drip Irrigation area. We have also completed various revisions to the design plan as requested by Council during the review process with Town Officials and the Drip Irrigation Consultant. We will be preparing a proposal to complete the items noted above for Council's consideration which will be part of our Engineer's Report.

Action Requested:

1. Approve the ARH proposal for alignment stakeout for a figure not to exceed \$1,850 unless authorized to complete additional work and issuance of a Purchase Order to complete said work.
2. Approval of the ARH proposal to assist with the project specifications, as needed, in conjunction with the Town Business Administrator along with assistance during the construction process for the Overland Drip Irrigation area. Also, for completion of revisions to the project design plans for both the Overland and

Subsurface components of the Drip Irrigation Process. The estimated cost to complete the tasks noted is \$5,300.

2. **Well #4 Radium Treatment Facility and Air Stripper (ARH #11-30153.04):**

The contractor (TKT) has started working at the site. They have completed the treatment and are continuing with other site and building improvements. AC Shultes has looked at the existing well #4 building and has suggested some improvements they feel the Town should consider while the well is down and being renovated. We will review the list with the MUD Superintendent and the PWTC. Weather permitting, the work should continue towards the completion date of June 2014. The Town should receive a final determination of project funding hopefully by the middle of March.

The Electrical Contractor visited the site. An onsite meeting was conducted with the MUD Superintendent and Ron Curcio to review various items suggested for upgrade. The Superintendent also met with the members of the PWTC to review those items. If acceptable, we would recommend approval for Change Order #2 to cover the electrical work noted in the attached quote from TKT dated 3/18/14 totaling \$9,901.85.

Action Requested:

Approval of the price quote from TKT attached totaling \$9,901.85 for the additional electrical work at the Well #4 site.

3. **Boyer Avenue Pinelands Compliance, Long Term Wastewater Management Plan (LTWMP) (ARH #11-50058.14):**

A revised Long Term Wastewater Management Plan (LTWMP) was submitted to the Commission. After several variations of the report were completed, the full Pinelands Commission favorably approved the latest report with several conditions and deadline dates. A summary of the conditions are noted below:

- Main objective is to eliminate any stream effluent discharge except in the case of an emergency.
- By April 30, 2014, submit revised LTWMP including Council's endorsement of same.
- Overland/Surface Drip Irrigation System must be completed and operational by September 30, 2014.
- Inflow and Infiltration Inspection and Rehabilitation of problematic sanitary sewer mains funding must be established by September 30, 2014.
- Begin Annual Summary Report details including status of various construction items, operation maintenance, treatment volumes, disbursements, system winterization schedules, etc. by May 1, 2015.
- Phase I Underground/Subsurface Drip Irrigation System for UG#1, existing recently constructed soccer fields, 7.47 acres +/-, must be started by April 30, 2015 and completed by September 30, 2015.
- By March 14, 2016 – provide results of I & I study with conclusions and recommendations to Pinelands Commission.
- By March 14, 2019, complete construction of underground/surface drip irrigation system for remaining active recreation fields at the Boyer Avenue site consisting of UG #3, 5.24 acres, UG #4, 1.47 acres, and UG #5, 2.25 acres.
- By March 14, 2024, complete the rehabilitation of all problematic sanitary sewer mains and related appurtenances identified in I & I report.

The advancement, postponement or suspension of any item contained within the above noted construction schedule is at the discretion of the Pinelands Commission Executive Director and is related to the Town's ability to avoid any treated effluent discharge to the Hammonton Creek.

Action Requested:

Passage of Resolution (copy attached) endorsing the submission of a revised LTCWP or LTWMP to the Pinelands Commission for the Executive Director's approval or per their Resolution # PC4-14-10 adopted 3/14/14.

PUBLIC WORKS ACTION ITEMS:

4. **ACIA Funding – 2014 CDBG (ARH# 2013-0668):**

We have begun the process for the preparation of the bid package, specifications, quantities, etc. associated with the Road Program to keep the project on track with ACIA deadlines. We will need to meet with the Public Works Manager and Committee Chairman in order to provide a final list for inclusion in the program. According to the project schedule agreed upon by the ACIA, we must finalize the road list specifications and be ready to bid the project during the month of April. We are therefore requesting approval from Mayor and Council to advertise and receive bids on Wednesday, April 16th @ 10:00 am subject to approval by the ACIA. Funding for the project must be established by the Town.

Action Requested:

Authorize the Engineer to advertise to receive bids for the project on Wednesday, April 16th @ 10:00 am subject to approval of the bid documents by the ACIA.

SEWER & WATER INFORMATION ITEMS:

5. Pratt, Packard, Grape & Second Street Utility Replacement (ARH #11-40046):

The pre-construction meeting has been set for Monday March 24, 2014 at 10:00 AM. After the meeting we will have a better understanding of the Contractor's intentions and schedule. Please note it is still our intention to issue a notice to proceed of April 1, 2014. Additionally, the NJDOT initial payment voucher has been completed and sent to NJDOT for approval. The initial reimbursement value is 75% of the allotment amount, which is \$257,730.75.

6. 2015 Fiscal Year, NJEIT Projects (ARH #11-01088):

As authorized last meeting, we have completed the design plans, specifications, report and application documents for submission to NJEIFP for 2015 funding consideration. As requested by Council, the application was for the installation of drip irrigation for the existing recently constructed soccer fields adjacent to Moss Mill Road. The Town will not hear anything related to this funding until late fall of 2014. One of the requirements for NJEIFP review is the completion of a Public Hearing related to the project. In order to meet the time frame required in the application review process, we had originally scheduled a public hearing for March 24th. However, since the NJEIFP Environment staff modified the wording in the notice, the public hearing has been rescheduled to the April 28th Council meeting at 7:00 pm. The notice is required to be in the paper 30 days in advance of the meeting therefore the notice was placed in the March 19th edition of the Gazette.

7. Well #1 / Well #3 – Volatile Organic Compounds (VOC's) (ARH# 11-30155.03):

We have finalized the design for the Well #1 & #3 treatment process and forwarded the plans, reports, specifications, etc. to the State Bureau of Safe Drinking Water for their review earlier this month. Last Friday, the Pinelands Commission approved the public development application for the project. We will forward a copy of the signed Resolution once received to the NJDEP. This would allow the NJDEP to proceed with their review. We have discussed the expanded design with Spillfund and will seek a revised agreement for additional monies from their office due to required building modifications and other construction related items. It is hoped to have their approval and be ready to bid by late spring of 2014. The ACO deadline, as originally amended, for project completion was September of 2014. We did make the NJDEP Southern Enforcement aware of a request for an extension of time for completion of this project. They are presently reviewing that request for a second amendment to the ACO. We will also seek approval from the Spillfund to redevelop Well #1. The redevelopment of Well #1 will be a separate bid and the goal would be to complete this work in advance of the remediation work, since this well is presently offline.

8. Hammonton Water System - AACO (ARH #11-30152):

The goal for both the Town and NJDEP is to have Well #4 back in service prior to the peak demand needs which occur in July of this year if possible. Keep in mind there must always be a back-up Well available to Wells #5 & #7 at any given time, therefore, Well #3 will remain in service until Well #4 is up and running in compliance with safe drinking water standards.

AACO Compliance Dates:

- ~ Licensed Operator compliance – October 31, 2012 (COMPLETED)
- ~ Licensed Operator succession plan – (COMPLETED)
- ~ Wells #5/#7 Radium Removal – (COMPLETED)
- ~ Well #4 Radium Removal – project completion June 30, 2014 (Contract Awarded, Notice to Proceed issued and preliminary work started)
- ~ Well #4 Air stripper upgrade – Revised to coincide with Well #4 – June 30, 2014 (Contract Awarded and preliminary work started)
- ~ Well #1 VOC Removal – (TEMPORARY SOLUTION, COMPLETED)
- ~ Well #1 & 3 VOC Removal – (PERMANENT SOLUTION, CONSTRUCTION START, after Well #4 is back on line) (Design submitted).
- ~ Well #1 & 3 – VOC Removal – (Present ACO, OPERATIONAL BY SEPTEMBER 1, 2014) Request for time extension and amended ACO under consideration. Possible completion date February 2015.

9. Pine, Basin & Oak Road Water Main Extension/Well Contamination (ARH #11-30138):

Contract 1 - This contract is on maintenance bond, the contractor needs to return onsite to address a pothole along Pine Road near Rt. 30. ARH to follow up this issue to ensure the repair is made.

Contract 2 - We believe we have worked out all closeout issues with the Contractor and have issued a revised closeout letter requesting the final Change Order be signed, final invoice be provided, as well as a maintenance bond be provided. Once this information is received we will be able to close the project out with the Contractor.

Contract 3 - We are awaiting final work from NJDEP regarding decisions to allow residents to retain their wells. The Contractor has sealed all possible wells at this point.

Please note there is still one resident who has refused access to their property and this issue is being referred to the Solicitor.

10. **Route 54/Bellevue Avenue Utilities (ARH #11-50120): - No Status Change**

As of May 21, 2013; the Contractor has returned to the site and addressed the remaining punch list items. We will be proceeding with a recommendation to close out the project subject to review and concurrence from the Solicitor.

PUBLIC WORKS INFORMATION ITEMS:

11. **Boyer Avenue Recreation (ARH #11-75003):**

The final quantities change order was approved at the last meeting. Currently we are waiting for the contractor to complete the punch list. Please note no additional payment will be recommended until the punch list is completed.

12. **Lake Weed Control, Permitting, Application of Product (ARH# 11-90016):**

We have discussed the requirements and timeline for seeking the request for price quotes from Lake Weed Control applicators along with the possibility to draw the Lake level down in the winter of 2014. The Council and Lake Water Quality Committee should possibly consider doing one or the other, but not both. This will need further discussion and direction.

13. **Drainage Projects: Lakeview Drive and White Horse Pike (ARH #11-60202.03):**

As authorized, ARH has submitted the bid documents to the NJDOT for final approval and are waiting for the receipt of an Authorization to Advertise (ATA). We have recently received a letter from the NJDOT Local Aid office requesting a response to some additional items, which we are in the process of revising. We have also received comments from the NJDOT Southern Division for the roadway opening permit to the White Horse Pike project frontage, completed the revisions and have forwarded the documents back to seek issuance of their permit. Funding for this project will need to be established by the Town in order to seek NJDOT reimbursement for project construction and possibly the construction management costs if funds are available. We will prepare a proposal for ARH to complete the Construction Management, testing, reimbursement and administration phases for Council's consideration, once all permits and approvals are received.

14. **Weymouth Road Drainage (ARH# 11-06007): No Status Change**

The funding for this project must be established by the Town so that work could begin and bills submitted to the County for reimbursement. We will proceed once informed by Council that the necessary funds are in place.

15. **Octogon Oil Site Town Hall Overflow Parking Lot (ARH #11-01060): No Status Change**

ARH is currently preparing a supplemental Hazardous Discharge Site Remediation Fund (HDSRF) grant application with respect to the additional work required by the NJDEP.

16. **Skinner Building – Egg Harbor Road (ARH #11-01074):**

ARH completed a Site Investigation (SI) Report for the subject property. This report will become part of the Preliminary Assessment & Site Investigation (PASI) submittal to NJDEP and the Pinelands Commission; and will accompany the *Preliminary Assessment Report* (December 2012) prepared previously by ARH. In addition, ARH is currently preparing a supplemental Hazardous Discharge Site Remediation Fund (HDSRF) grant application with respect to addressing the additional Areas of Concern (AOC) identified at the site. ARH is currently in the process of completing the initial Receptor Evaluation (RE) and developing a scope of work for a supplemental grant application.

The Town has asked ARH to hold-off on submitting a supplement grant request at this time. The Town still needs to pay the outstanding DEP Project Oversight fee of \$3,200 so we can issue partial RAO letter for specific AOC's. We discussed same with Frank Zuber and that should be issued shortly.

17. **Former Mazza Property, Egg Harbor Road Parking Lot at the Historic Train Station (P2012.0153): No Status Change**

ARH has completed the majority of the work associated with a Hazardous Discharge Site Remediation Fund (HDSRF) grant application as authorized by Council. The application addresses several potentially contaminated

Areas of Concern (AOC) at the subject property and the need for completion of a Preliminary Assessment (PA) in an effort to identify any other AOCs related to the historic use of the property as a services station and repair shop.

In discussion with the PWTC, it was noted that information from the prior owner may be available for review that would aid in the evaluation process as to what might have already been completed at the site. We will need a copy of that information once obtained by the Town so that we could modify the scope of work if required. We will wait for further direction from Council in case a different scheme for development or resolution to this parcel is determined by Council.

18. Drainage Projects: Anderson Avenue (ARH #11-60208.02): No Status Change

This project will be divided into two (2) phases isolating each of the low points located in the middle of the block. We are in the process of amending the plans as discussed. We will keep Council informed of further progress.

19. Chew Road/Jacobs Street/First Road (ARH #11-60207.02):

The project scope has been modified to divide the project into phases. The Public Works Department will contact Root 24 to once again clean and inspect the existing inlets, pipe and leaching pits as they extend off of the First Road/Jacobs Street intersection.

SOLICITOR REPORT

MAYOR REPORT

PWM/BUSINESS ADMINISTRATOR REPORT

TOWN CLERK REPORT

1. Accept Nicholas Polito and Robert Thoms as Members of Fire Company 1
2. Authorize correction of Martin Rodriguez's time off balance due to reflect \$807.12
3. Authorize the Atlantic County Department of Public Works, Office of Mosquito Control, to perform aerial application of pesticides for mosquito control in the event that high mosquito populations present a nuisance, a health hazard or both.
4. Authorize waiver curb & sidewalk B1709, Lot 31, 14th St., 1st Rd.

APPROVE BILL LIST & PURCHASE ORDERS

NEW BUSINESS - RESOLUTIONS

#R042-2014 Salary Resolution Class II Officer

#R042-2014
RESOLUTION

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

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

WHEREAS, the time of service of any employee shall be computed as commencing in January of the year when the employee was hired.

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

<u>Employee</u>	<u>Title</u>	<u>Hourly Rate (effective 04/01/14)</u>	<u>Maximum</u>
Kyle Ambrozaitis	Class II Special Police Officer	\$17.00	\$20.00

#R043-2014 Tax Resolution

#R043-2014

WHEREAS, Rosemarie Jacobs, Tax Collector, has approved and made amendments to utility and/or tax accounts as follows:

<u>B&L</u>	<u>Name</u>	<u>Address</u>	<u>Amount ACCT</u>	<u>REASON</u>
3801-60.03	Crescenzo	51 Waterfront Way	\$4,334.96	Tax Online payment hit twice (refund)

WHEREAS, the above amounts have been corrected in the utilities screen and or tax screen to show the correct amount due. However, a requisition form will not be presented for any refunds until approved by Mayor and Council; and

WHEREAS, if any above referenced are not approved by Mayor and Council, a retraction will take place.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Hammonton that the Tax Collector's actions are approved.

#R044-2014 JIF Release of Surplus

#R044-2014

RESOLUTION AUTHORIZING THE RELEASE OF \$21,926.24 IN SURPLUS FROM THE TOWN OF HAMMONTON'S SHARE OF THE AGGREGATE EXCESS LOSS CONTINGENCY FUND

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (hereafter referred to as the FUND) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the FUND is duly constituted as a Municipal Self Insurance Fund to provide insurance coverage to its member municipalities; and

WHEREAS, the FUND has established an Aggregate Excess Loss Contingency Fund pursuant to NJAC 11:15-2.23; and

WHEREAS, in accordance with NJAC 11:15-2.21, the FUND is authorized to release surplus from its Closed Years Fund upon approval from the Department of Banking & Insurance & Department of Community Affairs; and

WHEREAS, should the FUND authorize the Release of Surplus from it Closed Years Fund, each member receiving a share of the surplus has the option of using the surplus as an offset against their next assessment billing, receiving the surplus as a direct payment, or placing a portion of their surplus in the FUND's Aggregate Excess Loss Contingency Fund; and

WHEREAS, several members, including the Town of Hammonton, have placed a portion of their Surplus from amounts released in prior years, into the Aggregate Excess Loss Contingency Fund; and

WHEREAS, based upon the April 30, 2013 Financial Review, the Town of Hammonton had an accumulated balance of \$84,600.00 in the Aggregate Excess Loss Contingency Fund; and

WHEREAS, the Fund Commissioner from the Town of Hammonton has sent a written request to the Fund Administrator's office asking that \$21,926.24 of their available balance be released from the Aggregate Excess Loss Contingency Fund;

NOW THEREFORE BE IT RESOLVED, by the Town of the Hammonton that the Fund Treasurer is hereby authorized to release \$21,926.24 from the Town of Hammonton's balance in the Aggregate Excess Loss Contingency Fund in the form of a lump sum payment for the 2014 Fund year to the Town of Hammonton.

#R045-2014 Temporary Emergency Appropriations

#R045-2014

RESOLUTION MAKING TEMPORARY EMERGENCY APPROPRIATIONS
IN THE TOWN OF HAMMONTON MUNICIPAL BUDGET

WHEREAS, N.J.S.A. 40A:4-20 provides that temporary emergency appropriations may be made for the period between the beginning of the fiscal year and the date of adoption of the budget for said year; and

WHEREAS, the date of this resolution is not within the first thirty days of January, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of are hereby made:

<u>Fund</u>	<u>Account Number</u>	<u>Appropriations</u>
Legal OE	4-01-20-106-200	\$10,000.00
Police OE	4-01-25-119-200	\$50,000.00
Utility Capital Outlay	4-05-55-603-200	\$200,000.00

#R046-2014 Temporary Capital Budget

#R046-2014
TOWN OF HAMMONTON
TEMPORARY CAPITAL BUDGET

WHEREAS, the need has arisen to introduce an ordinance to provide funds for Street Reconstruction at Various Locations funded by the Community Development Block Grant Fund in the General Capital Fund, including all appurtenances necessary and related thereto, and;

WHEREAS, the regulations of the Local Finance board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Services requires that the municipality adopt a temporary capital budget if a bond ordinance is to be passed prior to the adoption of the Annual Capital Budget, and;

WHEREAS, the ordinance provides a total appropriation as follows:

<u>Purpose</u>	<u>Total Grant Amount</u>
<u>General Capital Fund</u>	
Street Reconstruction	\$ 74,917.86 (a)
(a) Community Development Block Grant	

WHEREAS, The Town of Hammonton is required to provide a Long Term Wastewater Management Plan (LTWMP) to handle treated effluent generated from the Hammonton Wastewater Treatment Plant; and

WHEREAS, the Mayor and Town Council has taken significant strides to comply with the requirements as established by the Pinelands Commission related to the disposal of treated effluent at the Boyer Avenue Land Application Site; and

WHEREAS, the Public Works and Transportation Committee (PWTC) of the Mayor and Town Council has requested that the Town's consultants to develop a LTWMP for the Boyer Avenue Land Application Site to comply with the Pinelands Commission outline and address the items discussed in the joint meeting held between the Town Officials and the Pinelands Staff; and

WHEREAS, one of the requirements of the outline provided is that the LTWMP submitted to the Commission should be accompanied by an official endorsement by Hammonton's Governing Body; and

WHEREAS, the members of the PWTC, Town Solicitor and Town's Consultants have reviewed the outline and notes from the Pinelands Commission Staff meeting and support the submission of the LTWMP in a timely manner with endorsement from Mayor and Town Council; and

WHEREAS, the Mayor and Town Council passed a Resolution #019-2014 on January 1, 2014 related to the submission of the LTWMP to the Pinelands Commission for their review; and

WHEREAS, as a result of revisions to the LTWMP, the Pinelands Commission passed Resolution #PC4-14-10 on March 14, 2014 approving, with conditions, Hammonton's Long Term Comprehensive Wastewater Plan (LTCWP); and

WHEREAS, one of the conditions to said approval was that on or before April 30, 2014, the Town shall submit and the Hammonton Town Council shall endorse a revised LTCWP or LTWMP, subject to the Executive Director's approval. The revised plan shall incorporate the items contained within the Pinelands Commission's approved Resolution #PC4-14-10; and

WHEREAS, the conditions of the Pinelands Commission's Resolution have been reviewed with Public Works and Transportation Committee (PWTC) of Mayor and Town Council and recommend full Council's endorsement of same; and

THEREFORE BE IT RESOLVED, by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of NJ that it endorses the submission of the revised LTCWP or LTWMP for the Boyer Avenue Land Application site to the Pinelands Commission for their review and approval.

#R049-2014 NJEIT Loan Agreement 1

#R049-2014

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND EACH OF THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Town of Hammonton (the "Town"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Town to provide for the force main replacement project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey

Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's Sewer Utility Bonds, Series 2014, in an aggregate principal amount not to exceed \$5,200,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Town Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Town and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Town by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Town (collectively, the "Town Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Town Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Town Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Town as determined hereunder and to affix the corporate seal of the Town to such Financing Documents.

Section 2. The Authorized Officers of the Town are hereby further severally authorized to (i) execute and deliver, and the Town Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Town to, any document, instrument or closing certificate deemed necessary, desirable or convenient by the Authorized Officers or the Town Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R050-2014 NJEIT Loan Agreement 2

#R050-2014

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF LOAN AGREEMENTS TO BE EXECUTED BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND EACH OF THE NEW

JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY, ACTING BY AND THROUGH THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM

WHEREAS, the Town of Hammonton (the "Town"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Town to provide for the force main replacement project (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Town and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Town and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Town has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Town to authorize, execute, attest and deliver the Town's Water Utility Bonds, Series 2014, in an aggregate principal amount not to exceed \$3,900,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Town Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements; and

WHEREAS, the Trust and the State have expressed their desire to close in escrow the making of one or more of the Loans, the issuance of one or more of the Town Bonds and the execution and delivery of one or more of the Loan Agreements, all pursuant to the terms of an Escrow Agreement (the "Escrow Agreement") to be entered into by and among the Trust, the State, the Town and the escrow agent named therein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Town as follows:

Section 1. The Trust Loan Agreement, the Fund Loan Agreement and the Escrow Agreement (collectively, the "Financing Documents") are hereby authorized to be executed and delivered on behalf of the Town by either the Mayor or the Chief Financial Officer in substantially the forms attached hereto as Exhibits A, B and C, respectively, with such changes as the Mayor or the Chief Financial Officer (each an "Authorized Officer"), in their respective sole discretion, after consultation with counsel and any advisors to the Town (collectively, the "Town Consultants") and after further consultation with the Trust, the State and their representatives, agents, counsel and advisors (collectively, the "Program Consultants", and together with the Town Consultants, the "Consultants"), shall determine, such determination to be conclusively evidenced by the execution of such Financing Documents by an Authorized Officer as determined hereunder. The Town Clerk is hereby authorized to attest to the execution of the Financing Documents by an Authorized Officer of the Town as determined hereunder and to affix the corporate seal of the Town to such Financing Documents.

Section 2. The Authorized Officers of the Town are hereby further severally authorized to (i) execute and deliver, and the Town Clerk is hereby further authorized to attest to such execution and to affix the corporate seal of the Town to, any document, instrument or closing certificate deemed

necessary, desirable or convenient by the Authorized Officers or the Town Clerk, as applicable, in their respective sole discretion, after consultation with the Consultants, to be executed in connection with the execution and delivery of the Financing Documents and the consummation of the transactions contemplated thereby, which determination shall be conclusively evidenced by the execution of each such certificate or other document by the party authorized hereunder to execute such certificate or other document, and (ii) perform such other actions as the Authorized Officers deem necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 3. This resolution shall take effect immediately.

Section 4. Upon the adoption hereof, the Town Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Town, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R051-2014 NJEIT Funding 1

#R051-2014

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$5,200,000 SEWER UTILITY BONDS, SERIES 2014, OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Township of Hammonton (the "Township"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Township to provide for the replacement of the Township's force main (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Township and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute, attest and deliver the Township's Sewer Utility Bonds, Series 2014, in an aggregate principal amount not to exceed \$5,200,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Township Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Township Bonds to the Program, the governing body of the Township wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Township (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Township Clerk, Counsel to the Township, Project Engineer or Appraiser and/or Bond Counsel to the Township (collectively, the "Township Representatives") on or before the date when the Township is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be

delivered to Bond Counsel and held by Bond Counsel until such time as the Township authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Township as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Township hereby sells and awards its Township Bonds in an aggregate principal amount not to exceed \$5,200,000 in accordance with the provisions hereof. The Township Bonds have been referred to and are described in a bond ordinance of the Township, entitled, "Bond Ordinance Providing for the Sewer Main Replacement Project in and by the Town of Hammonton, in the County of Atlantic, New Jersey, Appropriating \$5,200,000 Therefor and Authorizing the Issuance of \$5,200,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof", finally adopted by the Township at a meeting duly called and held on March 24, 2014, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law

Section 2. The Chief Financial Officer of the Township (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$5,200,000;
- (b) The maturity and annual principal installments of the Township Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Township Bonds;
- (d) The interest rates of the Township Bonds;
- (e) The purchase price for the Township Bonds; and
- (f) The terms and conditions under which the Township Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Township Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Township hereby determines that certain terms of the Township Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-1. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-2;
- (b) The Township Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Township Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Township Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Township auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Township Bonds. The Mayor, the Chief Financial Officer and the Township Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Township is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Township.

Section 7. The Township hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Township Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Township Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Township, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

#R052-2014 NJEIT Funding 2

#R052-2014

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT EXCEEDING \$3,900,000 WATER UTILITY BONDS, SERIES 2014, OF THE TOWNSHIP OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST AND THE STATE OF NEW JERSEY PURSUANT TO THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE TRUST FINANCING PROGRAM.

WHEREAS, the Township of Hammonton (the "Township"), in the County of Atlantic, New Jersey, has determined that there exists a need within the Township to provide for the replacement of the Township's force main (the "Project") as defined in each of that certain Loan Agreement (the "Trust Loan Agreement") to be entered into by and between the Township and the New Jersey Environmental Infrastructure Trust (the "Trust") and that certain Loan Agreement (the "Fund Loan Agreement", and together with the Trust Loan Agreement, the "Loan Agreements") to be entered into by and between the Township and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection (the "State"), all pursuant to the New Jersey Environmental Infrastructure Trust Financing Program (the "Program");

WHEREAS, the Township has determined to finance the Project with the proceeds of a loan to be made by each of the Trust (the "Trust Loan") and the State (the "Fund Loan", and together with the Trust Loan, the "Loans") pursuant to the Trust Loan Agreement and the Fund Loan Agreement, respectively;

WHEREAS, to evidence the Loans, each of the Trust and the State require the Township to authorize, execute, attest and deliver the Township's Water Utility Bonds, Series 2014, in an aggregate principal amount not to exceed \$3,900,000, a portion of which will be to the Trust (the "Trust Loan Bond") and a portion of which will be to the State (the "Fund Loan Bond" and, together with the Trust Loan Bond, the "Township Bonds") pursuant to the terms of the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the Revised Statutes of the State of New Jersey (the "Local Bond Law"), other applicable law and the Loan Agreements;

WHEREAS, N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law allows for the sale of the Trust Loan Bond and the Fund Loan Bond to the Trust and the State, respectively, without any public offering, and N.J.S.A. 58:11B-9(a) allows for the sale of the Trust Loan Bond to the Trust without any public offering, all under the terms and conditions set forth herein; and

WHEREAS, in connection with the issuance of the Township Bonds to the Program, the governing body of the Township wishes to authorize the execution of certain certificates and opinions as may be required by the Program or Bond Counsel to the Township (collectively, the "Escrowed Documents") by the Mayor, Chief Financial Officer, Township Clerk, Counsel to the Township, Project Engineer or Appraiser and/or Bond Counsel to the Township (collectively, the "Township Representatives") on or before the date when the Township is scheduled to close the loans in escrow with the Program (the "Escrow Closing Date"), such documents to be delivered to Bond Counsel and held by Bond Counsel until such time as the Township authorizes release of the same.

NOW, THEREFORE, BE IT RESOLVED by a 2/3 vote of the full membership of the governing body of the Township as follows:

Section 1. In accordance with N.J.S.A. 40A:2-27(a)(2) of the Local Bond Law and N.J.S.A. 58:11B-9(a), the Township hereby sells and awards its Township Bonds in an aggregate principal amount not to exceed \$3,900,000 in accordance with the provisions hereof. The Township Bonds have been referred to and are described in bond ordinances of the Township, entitled, "Bond Ordinance Providing for Well 4 Facility Project in and by the Town of Hammonton, in the County of Atlantic, New Jersey, Appropriating \$2,200,000 Therefor and Authorizing the Issuance of \$2,200,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof", and "Bond Ordinance Providing for the Water Main Replacement Project in and by the Town of Hammonton, in the County of Atlantic, New Jersey, Appropriating \$1,700,000 Therefor and Authorizing the Issuance of \$1,700,000 Bonds or Notes of the Town to Finance Part of the Cost Thereof" each finally adopted by the Township at meetings duly called and held on October 28, 2013 and March 24, 2014, respectively, at which times a quorum was present and acted throughout, all pursuant to the terms of the Local Bond Law and other applicable law

Section 2. The Chief Financial Officer of the Township (the "Chief Financial Officer") is hereby authorized to determine, in accordance with the Local Bond Law and pursuant to the terms and conditions established by the Trust and the State under the Loan Agreements and the terms and conditions hereof, the following items with respect to the Trust Loan Bond and the Fund Loan Bond:

- (a) The aggregate principal amounts of the Trust Loan Bond and the Fund Loan Bond to be issued, which aggregate principal amount shall not exceed \$3,900,000;
- (b) The maturity and annual principal installments of the Township Bonds, which maturity shall not exceed 20 years;
- (c) The date of the Township Bonds;
- (d) The interest rates of the Township Bonds;
- (e) The purchase price for the Township Bonds; and
- (f) The terms and conditions under which the Township Bonds shall be subject to redemption prior to their stated maturities.

Section 3. Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the Township Bonds by the parties authorized under Section 4(c) hereof.

Section 4. The Township hereby determines that certain terms of the Township Bonds shall be as follows:

- (a) The Trust Loan Bond shall be issued in a single denomination and shall be numbered R-3. The Fund Loan Bond shall be issued in a single denomination and shall be numbered R-4. The Township may issue two series of Trust Loan Bonds and Fund Loan Bonds, if required by the Program;
- (b) The Township Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to both principal and interest in lawful money of the United States of America; and
- (c) The Township Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under official seal or facsimile thereof affixed, printed, engraved or reproduced thereon and attested by the manual signature of the Township Clerk.

Section 5. The Trust Loan Bond and the Fund Loan Bond shall be substantially in the form set forth in the Trust Loan Agreement and the Fund Loan Agreement, respectively.

Section 6. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Township Bonds, which law firm may authorize McCarter & English, LLP, bond counsel to the Trust and the State for the Program, to arrange for same. The Township auditor is hereby authorized to prepare the financial information necessary in connection with the issuance of the Township Bonds. The Mayor, the Chief Financial Officer and the Township Clerk are hereby authorized to execute any certificates necessary or desirable in connection with the financial and other information. Bond Counsel to the Township is hereby authorized to accept and hold the Escrowed Documents on or before the Escrow Closing Date and to release same upon the direction of the Township.

Section 7. The Township hereby designates the Chief Financial Officer to award the Bonds in accordance with Section 2 hereof and such financial officer shall report in writing the results of the sale to this Council as required by law.

Section 8. The Mayor and the Chief Financial Officer are hereby severally authorized to execute any certificates or documents necessary or desirable in connection with the sale of the Township Bonds, and are further authorized to deliver same to the Trust and the State upon delivery of the Township Bonds and the receipt of payment therefor in accordance with the Loan Agreements.

Section 9. This resolution shall take effect immediately.

Section 10. Upon the adoption hereof, the Township Clerk shall forward certified copies of this resolution to McManimon, Scotland & Baumann, LLC, bond counsel to the Township, and Richard T. Nolan, Esq., McCarter & English, LLP, bond counsel to the Trust.

NEW BUSINESS-ORDINANCE INTRODUCTIONS

Introduction Bond Ordinance #008-2014 Road to Excellence – TO BE SUPPLIED BY BRIAN HOWELL

Introduction Ordinance #009-2014 Fixing Salaries of Certain Employees

Ordinance #009-2014

AN ORDINANCE FIXING THE SALARIES OF CERTAIN
EMPLOYEES OF THE TOWN OF HAMMONTON

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

SECTION 1. There is hereby adopted the following salaries for employees of the Town of Hammonton.

TITLE	CURRENT RATE	MAXIMUM
Class II Special Police Officer P.T.	\$15.00 hr.	\$20.00 hr.

SECTION 2. The amount to be paid to each official or employee within the salary range shall be fixed from time to time by Resolution of the Mayor and Council.

SECTION 3. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. This ordinance shall take effect after final passage and publication.

Introduction Ordinance #010-2014 Reconstruction of Various Roads

**CAPITAL ORDINANCE APPROPRIATING \$74,917.86 FOR
RECONSTRUCTION OF VARIOUS STREETS IN AND BY THE TOWN OF
HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY**

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

Section 1. The Town of Hammonton, in the County of Atlantic, New Jersey (the "Town") hereby appropriates \$74,917.86 consisting of a \$74,917.86 Community Development Block Grant for reconstruction of various streets in the Town.

Section 2. 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 ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

Introduction Ordinance #011-2014 Establish an Energy and Natural Gas Aggregation Program (title only)

PUBLIC HEARD

MEETING ADJOURNED