

Regular Meeting of Mayor and Council August 26, 2019
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:

Furgione -
Giralo -
Gribbin -
Rodio-
Sacco -
Torrissi –
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, PWM

EXECUTIVE SESSION Resolution #120-2019

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione -
Giralo -
Gribbin -
Rodio-
Sacco -
Torrissi –
Mayor DiDonato -

PRESENT ALSO

Michael Malinsky, Town Solicitor
Robert Vettese, Public Works Manager
Mark Hermann of ARH, Town Engineer

PUBLIC NOTICE

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

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

APPROVAL OF MINUTES

Executive Minutes July 22, 2019
Council Minutes July 22, 2019
Special Minutes July 31, 2019

PRESENTATION

Retirement of Police Chief Robert Jones

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing Ordinance #017-2019- Fixing Salaries of Certain Employees

AN ORDINANCE FIXING THE SALARIES OF
Certain Employees in the Town of Hammonton

BE IT ORDAINED by Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey, the salaries, clothing allowance, education stipend, health insurance buyout, sick time, vacation time, personal time, comp time, holidays and overtime shall apply to members for contract terms commencing January 1- 2018 per Town Code and per individual bargaining unit Contracts. Individuals shall be paid pursuant to the contract minimums and maximum salaries /Hourly Rates as per contract are as follows:

<u>TITLE</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Construction/ Bldg / Fire / Plumbing / Electrical Sub Code Officers / Zoning Part time	\$14.00	\$45.00
Code Enforcement Officer Part Time	\$14.00	\$35.00

BE IT FURTHER ORDAINED the appropriate level that each employee covered under their individual or bargaining unit contract shall be paid determined by the language contained in the aforementioned contract. No prior contract language or language contained in the prior salary ordinance shall be applicable for purposes of determining the salary level of any personnel, and

BE IT FURTHER ORDAINED there shall be added as a longevity increment for each full-time employee as negotiated and set forth in the contract, and

BE IT FURTHER ORDAINED the method of payment of the salaries to each employee shall be fixed by resolution by Mayor and Council, and

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

Public Hearing Bond Ordinance #019-2019- Fire Suppression Bldg and Taxiway Sealing at Hammonton Airport

BOND ORDINANCE PROVIDING FOR THE CONSTRUCTION OF A FIRE SUPPRESSION BUILDING AT THE AIRPORT AND TAXIWAY SEALING IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF 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") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$100,000, including the sum of \$5,000 as the down payment required by the Local Bond Law. The down

payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$95,000 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 construction of a fire suppression building at the airport and taxiway sealing, including all related costs and expenditures 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, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. 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 or other applicable 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 general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of 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 15 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 \$95,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$20,000 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.

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(a) 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 "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 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.

Public Hearing of Ordinance #020-2019 Amending Chapter 271

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Section 23 Stop Intersections Designated

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-22 be amended to add:

Intersection

Orchard and Grand Street

Location of Stop Sign

Grand Street

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.

Public Hearing Ordinance #021-2019- Redevelopment Area White Horse Pike

BOND ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AUTHORIZING THE ISSUANCE OF REDEVELOPMENT AREA BONDS OR NOTES OF THE TOWN TO FINANCE THE COST OF CERTAIN INFRASTRUCTURE IMPROVEMENTS RELATING TO A REDEVELOPMENT PROJECT TO BE UNDERTAKEN BY WHITE HORSE HMT URBAN RENEWAL LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Local Redevelopment and Housing Law**”) confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the “**Town**”), has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Local Redevelopment and Housing Law; and

WHEREAS, the governing body of a municipality which has adopted a redevelopment plan pursuant to the Local Redevelopment and Housing Law may enter into a financial agreement with an urban renewal entity pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”), for, among other reasons, the undertaking of a project set forth in a redevelopment plan; and

WHEREAS, the Town Council adopted Resolution #061-2018, which authorized the Town of Hammonton Planning Board to conduct an investigation to determine whether or not certain properties identified on the official tax map of the Town as Block 3904, Lots 39 and 40 (the “**Study Area**” or the “**Land**”) qualified as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, by Resolution #99-2018, adopted on July 23, 2018, the Town declared the Study Area, along with certain adjacent rights-of-way, to be a Non-Condemnation Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, the Municipal Clerk per Resolution #99-2018, notified the Commissioner of the Department of Community Affairs of that action; and

WHEREAS, on January 28, 2019, Town Council passed Ordinance #1-2019, which adopted the Redevelopment Plan dated January 7, 2019, prepared by Town Planner, Kevin J. Dixon, P.E., P.P., P.T.O.E., C.M.E., of Dixon Associates Engineering, LLC (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Local Redevelopment and Housing law and the Tax Exemption Law, the Town has designated White Horse HMT Urban Renewal LLC (the “**Redeveloper**”) as the designated redeveloper to redevelop the Land, consisting of the renovation, construction and equipping of an approximately 162-unit assisted living residence for low income seniors, including, among other things, the renovation of an existing private room hotel and the new construction of additional units and kitchen, dining, administrative and resident activity areas, including an approximately 5,000 square foot adult medical day care facility (the “**Redevelopment Project**”); and

WHEREAS, the Redeveloper will be a single purpose urban renewal entity pursuant to the Long Term Tax Exemption Law created for the development, operation and maintenance of the Redevelopment Project; and

WHEREAS, in order to improve the feasibility of the Redevelopment Project, the Redeveloper has requested that the Town allow a long term tax exemption and financial agreement with respect to the Redevelopment Project pursuant to the Long Term Tax Exemption Law; and

WHEREAS, the Redevelopment Project will require, among other items, the construction of certain infrastructure improvements, relocations and modifications in and around the Redevelopment Area, including without limitation, certain intersection and other traffic improvements (collectively, the “**Infrastructure Improvements**”); and

WHEREAS, despite the Redeveloper’s investment of equity and borrowed funds, such amounts are insufficient to feasibly pay for all of the costs associated with the development and construction of the Redevelopment Project; and

WHEREAS, in order to defray certain eligible costs of the Redevelopment Project, specifically the Infrastructure Improvements, thereby making the Redevelopment Project viable, the Town agreed to issue general obligation bonds in one or more series in an aggregate principal amount not to exceed \$25,000 (the “**Bonds**”) pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.*, (the “**RAB Law**”) and/or the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the “**Local Bond Law**”), as applicable; and

WHEREAS, the Redeveloper has represented to the Town that financial assistance is necessary in order for the Redevelopment Project to be undertaken in its intended scope; and

WHEREAS, the Town desires to authorize the issuance of Bonds in an amount not to exceed \$25,000 to fund the Infrastructure Improvements; and

WHEREAS, the Town will use the proceeds of the Bonds to finance the Infrastructure Improvements described in Section 3 of this bond ordinance.

NOW THEREFORE 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:

The improvements and purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Town as general and local improvements, as described in more detail herein. For the improvements and purposes described in Section 3, there is hereby

appropriated the sum of \$25,000. Pursuant to Section 37 of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-37c(2)), no down payment is required, notwithstanding the requirements of Section 11 of the Local Bond Law, because the improvements and purposes set forth in Section 3 constitute a "redevelopment project" under the Local Redevelopment and Housing Law.

In order to finance the cost of the several improvements and purposes described in Section 3, negotiable bonds are hereby authorized to be issued pursuant to the Local Bond Law and the Local Redevelopment and Housing Law in a principal amount not to exceed \$25,000. 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 and the Local Redevelopment and Housing Law.

Section 3. (a) The several improvements hereby authorized and the several purposes for which the bonds are to be issued, include the construction of the Infrastructure Improvements, constituting a portion of the Redevelopment Project, which constitutes a "redevelopment project" under the Local Redevelopment and Housing Law, including all work and materials necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements and purposes is as stated in Section 2 hereof.

(c) The estimated costs of the improvements and purposes are equal to the amount of the appropriations 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 note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law and the Local Redevelopment and Housing Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the 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 notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the 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 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 purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements and purposes that the Town lawfully may undertake as general and local improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) Pursuant to N.J.S.A. 40A:12A-37(c), the obligations authorized herein shall mature in annual installments commencing not more than two (2) and ending not more than forty (40) years from the date of issuance.

(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 \$25,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount of not exceeding \$25,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

(d) The maximum interest rate on the bonds shall be 9% without further authorization of the Town Council, which authorization may be by resolution.

Section 7. The Town hereby declares the intent of the Town to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use 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 purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this 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 "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 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.

Public Hearing Ordinance #022-2019 – Approve Application and Agreement with White Horse HMT Urban Renewal LLC

ORDINANCE OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY APPROVING THE APPLICATION OF AND THE EXECUTION OF FINANCIAL AGREEMENT WITH WHITE HORSE HMT URBAN RENEWAL LLC IN CONNECTION WITH THE RENOVATION, CONSTRUCTION AND EQUIPPING OF AN ASSISTED LIVING RESIDENCE FOR LOW INCOME SENIORS BY WHITE HORSE HMT URBAN RENEWAL LLC

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Local Redevelopment and Housing Law**”) confers certain contract, planning and financial powers upon a redevelopment entity, as defined at Section 3 of the Act, in order to implement redevelopment plans adopted pursuant thereto; and

WHEREAS, the Town of Hammonton, in the County of Atlantic, New Jersey (the “**Town**”) has elected to exercise these redevelopment entity powers directly, as permitted by Section 4 of the Local Redevelopment and Housing Law; and

WHEREAS, the governing body of a municipality which has adopted a redevelopment plan pursuant to the Local Redevelopment and Housing Law may enter into a financial agreement with an urban renewal entity pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.* (the “**Long Term Tax Exemption Law**”), for, among other reasons, the undertaking of a project set forth in a redevelopment plan; and

WHEREAS, the Town Council adopted Resolution #061-2018, which authorized the Town of Hammonton Planning Board to conduct an investigation to determine whether or not certain properties identified on the official tax map of the Town as Block 3904, Lots 39 and 40 (the “**Study Area**” or the “**Land**”) qualified as a non-condemnation area in need of redevelopment pursuant to the Local Redevelopment and Housing Law; and

WHEREAS, by Resolution #99-2018, adopted on July 23, 2018, the Town declared the Study Area, along with certain adjacent rights-of-way, to be a Non-Condensation Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, the Municipal Clerk per Resolution #99-2018, notified the Commissioner of the Department of Community Affairs of that action; and

WHEREAS, on January 28, 2019, Town Council passed Ordinance #1-2019, which adopted the Redevelopment Plan dated January 7, 2019, prepared by Town Planner, Kevin J. Dixon, P.E., P.P., P.T.O.E., C.M.E., of Dixon Associates Engineering, LLC (the “**Redevelopment Plan**”); and

WHEREAS, pursuant to the Local Redevelopment and Housing law and the Tax Exemption Law, the Town has designated White Horse HMT Urban Renewal LLC (the “**Entity**”) as the designated redeveloper to redevelop the Land, consisting of the renovation, construction and equipping of an approximately 162-unit assisted living residence for low income seniors, including, among other things, the renovation of an existing private room hotel and the new construction of

additional units and kitchen, dining, administrative and resident activity areas, including an approximately 5,000 square foot adult medical day care facility (the **"Redevelopment Project"**); and

WHEREAS, the Entity will be a single purpose urban renewal entity pursuant to the Long Term Tax Exemption Law created for the development, operation and maintenance of the Redevelopment Project; and

WHEREAS, in order to improve the feasibility of the Redevelopment Project, the Entity has requested that the Town allow a long term tax exemption and financial agreement with respect to the Redevelopment Project pursuant to the Long Term Tax Exemption Law; and

WHEREAS, the Redevelopment Project will require, among other items, the construction of certain infrastructure improvements, relocations and modifications in and around the Redevelopment Area, including without limitation, certain intersection and other traffic improvements (collectively, the **"Infrastructure Improvements"**); and

WHEREAS, despite the Redeveloper's investment of equity and borrowed funds, such amounts are insufficient to feasibly pay for all of the costs associated with the development and construction of the Redevelopment Project; and

WHEREAS, in order to defray certain eligible costs of the Redevelopment Project, specifically the Infrastructure Improvements, thereby making the Redevelopment Project viable, the Town agreed to issue general obligation bonds in one or more series in an aggregate principal amount not to exceed \$25,000 (the **"Bonds"**) pursuant to the Redevelopment Area Bond Financing Law, N.J.S.A. 40A:12A-64 *et seq.*, (the **"RAB Law"**) and/or the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.* (the **"Local Bond Law"**), as applicable; and

WHEREAS, the Entity has represented to the Town that the Redevelopment Project would not be feasible in its intended scope but for the provision of financial assistance by the Town; and

WHEREAS, the Town determined that the assistance provided to the Redevelopment Project pursuant to this Agreement will be a significant inducement for the Entity to proceed with the Redevelopment Project and that based on information set forth in the Application, the Redevelopment Project would not be feasible without such assistance; and

WHEREAS, pursuant to the Long Term Tax Exemption Law, the Redeveloper provided the Town with the information required by Section 8 of the Long Term Tax Exemption Law in the form of an application for a long term tax exemption (the **"Application"**); and

WHEREAS, the Town Council hereby finds that the relevant benefits of Redevelopment Project outweigh the loss, if any, of property tax revenue in granting the long term tax exemption requested in the Application; and

WHEREAS, the Town Council further finds that the assistance provided to the Redevelopment Project pursuant to the Financial

Agreement will be a significant inducement for the Entity to proceed with the Redevelopment Project; and

WHEREAS, the Town and the Entity have determined to execute a financial agreement (the "**Financial Agreement**"), a form of which is included in the Application.

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

Section 1. The Application and form of Financial Agreement are hereby approved.

Section 2. The Mayor is hereby authorized and directed to execute the Financial Agreement with the Redeveloper in substantially the same form as that contained within the Application, subject to minor modification or revision, as deemed necessary and appropriate after consultation with counsel.

Section 3. Executed copies of the Financial Agreement shall be certified by and be filed with the Office of the Town Clerk. Further, the Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Town, and the Chief Financial Officer of Atlantic County within 10 days of the execution of the Financial Agreement.

Section 4. If any part(s) of this ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 5. This ordinance shall take effect in accordance with law.

COMMITTEE REPORTS

Administration - Councilman Gribbin

Business & Industry – Councilwoman Sacco

Quality of Life - Councilwoman Sacco

Education - Councilman Torrissi

Public Works & Transportation - Councilman Rodio

Law & Order - Mayor DiDonato

Water & Sewer - Councilman Furgione

ENGINEER REPORT

Action Items Public Works:

1. FY2020 Small Cities Application – Hammonton Lake Park ADA Improvements

(ARH #P2019.0668):

On August 16, 2019, Mark Herrmann of our staff met with Bob Vettese, Jim Donio, Denise Mazzeo, and Jake Botticello of Triad Associates to discuss the Town's application to the New Jersey Department of Community Affairs Small Cities Community Development Block Grant program. The grant application includes the construction of a new ADA-accessible playground module with a poured-in-place rubber surface and the expansion of the accessible routes.

Our office was requested to provide support services to Triad Associates for the preparation of the grant application. As part of this work, ARH will complete the following tasks:

1. Develop a conceptual layout of the proposed enhancements. This plan will be based on the site plans previously prepared for the Hammonton Lake Park circulation improvements.
2. Prepare a Scope of Services document, which includes a description of the existing facilities, description of the proposed improvements, identification of the site deficiencies, and the need for the project. Included in this report is a photograph log with descriptions.
3. Prepare an Engineer's Estimate.

Action Requested:

Authorize ARH proposal to complete the drawings and documents as described above for a not-to-exceed cost of \$2,200.00.

2. K&K Linens Property (ARH #11-01094.01):

As requested, ARH prepared a proposal on September 4, 2018, for removal of the tanks and further environmental assessment/investigation of the property. Additionally, Michael Deely of the NJDEP suggested that a HDSRF grant could be available to remediate the property, if desired - the Town will need to decide if they want ARH to proceed with the HDSRF grant application for this project, once the property is settled.

Action Requested:

Authorize ARH proposal P2018.0613 in the amount of \$11,950.00.

3. Policastro Property (ARH #P2019-0581):

As requested, ARH prepared a proposal on July 17, 2019, for environmental assessment/investigation of the property located at 120 E. Pleasant Street.

Action Requested:

Authorize ARH proposal P2019.0581 in the amount of \$2,150.00.

INFORMATION ITEMS:

4. Boyer Avenue – 2019 Additional Survey Work (ARH P2019.0519):

Council authorized ARH to perform survey work in and around the Boyer Avenue Land Application Facility. This work consists of three (3) components: survey and R.O.W. mark-out of Sewell Avenue; survey of 7th Street in order to design a permanent solution to the ongoing stormwater erosion and survey of Boyer Avenue and the interceptor trench area for sanitary sewer extension. As discussed at the PWTC meeting, the 7th Street work will be held to a later date. Preliminary work has begun and will be completed after Labor Day.

5. Relocation of Interceptor Trench Discharge (ARH #P2019.0239):

As requested by Pinelands, ARH and Brian Howell submitted an application form and fee payment in advance of a full Pinelands Permit application submittal. On August 12 we received a letter from the Pinelands acknowledging its receipt thereof and has requested additional information to complete the permit package.

On Tuesday August 13 ARH and Town personnel constructed test pits and borings in the proposed discharge area that will be used for the final disposal design. We are currently waiting for soil analysis results.

6. Boyer Avenue – 2018 Optimization Phase I (ARH #11-50058): No Status Change

A draft version of this report was sent out on March 29, 2019.

- 7. Frog Rock Golf Course Legal Action (ARH #11-01000):**
As requested by the Town legal representatives in this matter, ARH is developing a cost estimate and summary of the items that we believe Frog Rock has not completed in contravention to the 1999 Consent Order.
- 8. Washington Street Reconstruction CDBG Funds (ARH #11-40054):**
Council awarded a contract to Think Pavers in the amount of \$308,320.00 for the Washington Street project. A pre-construction meeting was held on June 4, 2019. The contractor installed the project sign on June 11, 2019. The Contractor has begun to mobilize and have material delivered. Construction is anticipated to begin during the week of August 26, 2019.
- 9. 2019 State Aid Funding (14th Street) (ARH #11-40058):**
The NJDOT has awarded the Town an additional \$310,000.00 for Phase III of the 14th Street Roadway improvement project. The limits defined in the application were from Second Road to First Road. Our office has submitted a proposal to perform the surveying, design, and bidding of the project. Based on our current Engineer's Estimate, we believe we can pave approximately 3,000 LF of 14th Street using the grant funds. Our office is working on the design of the project and anticipate submitting the plans to the NJDOT for review in the next month.
- 10. 2018 State Aid Funding (14th Street) (ARH #11-40056.01):**
Bids for this project were received on March 28, 2019. The low bidder was Arawak Paving in the amount of \$248,000.00. Our office will work with Arawak to extend the limits of the project and maximize the grant money received by the Town.

The NJDOT has approved our request to include the portion of 14th Street, from the Borough of Folsom line to the limits of the 2015 road project (approximately 530 feet). We anticipate receiving authorization from the NJDOT very soon to go out to bid for this portion. Construction will be scheduled for late summer. If possible, we would prefer to hold off construction until the second piece of 14th Street is awarded so they can be constructed at the same time and minimize the time of disruption.
- 11. 2019 Road Program (ARH #P2019.0217):**
Our office has performed topography for Orchard Street, from Egg Harbor Road to Tilton Street, and provided the information to Bob Vettese. We have also assisted with the preparation of the design specifications. Mr. Vettese asked us to perform additional topography at the intersection of Chestnut Street and Third Street, which was not in the original proposal.
- 12. 2017 State Aid Funding (Second Road) (ARH #11-40055.01):**
NJDOT has awarded the Town a total \$418,000.00 in Municipal Aid funds to be used towards Second Road improvements, from Chew Road to 12th Street. Arawak Paving Company was the low bidder for the project, with a combined bid for the Base Bid and Alternates in the amount of \$597,600.00.

Arawak has restored the trench at the intersection of Second Road and Tenth Street. They will be on site to perform the final milling and paving of this intersection and Tenth Street during the week of August 26, 2019. Once the work has been addressed, we will begin closeout procedures.
- 13. Valley Avenue Utility Replacement (ARH #11-30159):**
Our office met with the NJDEP Project Manager on July 17, 2018. We have provided the NJDEP with the closeout documentation required through the Environmental Infrastructure Trust program guidelines. The Project Manager requested the submission of a document certifying the implementation of a Fiscal Sustainability Plan or an Asset Management Plan. We are finalizing that certification and will reply to the

Project Manager. The Project Manager also requested additional confirmation regarding the final payment request.

Project Maintenance and Environmental Maintenance bonds have been received and delivered to the Town. The bonds will have expired and will be performing a final walkthrough to ensure there are no outstanding issues.

14. Fiscal Year 2020 State Aid Program Applications (ARH #11-40041):

The Town has received a letter from NJDOT Commissioner related to various State Aid Program applications. The applications were submitted on July 19, 2019.

The Town made an application for the following projects last year:

- Municipal Aid 14th Street Reconstruction. The Town received a \$310,000.00 allotment for completion of the 3rd section of the roadway.
- Bikeways – ARH made the following request for funding consideration:
 - Additional funds for construction of the initial 11th Street Veterans Place section and subsequent bike path construction along a portion of Moss Mill Road adjacent to the Boyer Avenue Recreation site. Neither of these projects have received funding consideration.
 - Safe Routes to School – North Street sidewalk and portion of Fourth Street and Walnut Street. The Town received a \$502,000.00 allotment for this project.

**15. Hammonton Bike Path Connector – 2019 State Aid Application (ARH #P2018.0651):
*No Status Change***

Upon review of the NJDOT letter of 4/15/19, it was noted that additional funds for the Bike Path along the unnamed public, Veterans Place and the Railroad Crossing improvements were not approved. We have contacted the NJDOT to discuss the Town's options for improvement. We are awaiting his response. Also, we will need to discuss funding for the Veteran's Place RR crossing improvements.

16. NJ Water Quality Accountability Act – Valve & Hydrant Mapping (ARH #11-30166):

The Municipal Utilities Superintendent arranged for the purchase of the ESRI ArcGIS Online (AGO) and provided preliminary information regarding the account. ARH has received the information from Mr. DeCicco and we are finalizing the application.

17. NJ Water Quality Accountability Act – Asset Management Plan (ARH #2019-0198):

This work, comprised of a 150-year replacement schedule for the entire water distribution system, is now under final GIS processing and review.

18. Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054):

ARH is initiating work on this grant-funded project. The building demolition is now pending 'approval' of the Pinelands Commission Public Development No. 1990-0809.003. Currently scheduled for September 13, 2019 Commission meeting for public comment and will be on October 11, 2019 meeting for action by the Pinelands; after which the site work will be started.

19. Mazza Muffler Site (ARH #P2019.0560):

As requested, ARH has prepared a proposal on August 19, 2019, for the environmental assessment/investigation of the property located at 104 S. Egg Harbor Road. Council stated that they will revisit this item at the September meeting.

20. Skinner Property (ARH #11-01074.01): No Status Change

ARH has initiating work on the grant application for the next phase of investigation/cleanup.

21. Octagon Oil/Vine Street Parking Lot (ARH #11-01060):

ARH prepared the Remedial Action Report, and submitted same to DEP. This submittal lays the groundwork for the issuance of a soils-only response action outcome (RAO) letter and application for a remedial action permit (RAP) for the remaining groundwater impacts.

22. ROSI Map Update (ARH #P2019.0172): No Status Change

As authorized, we have met internally along with the Recreation Committee and Bicycle Committee representatives. We have completed a portion of the update the ROSI map and should complete the remaining portion shortly.

SOLICITOR REPORT

MAYOR REPORT

PWM REPORT

TOWN CLERK REPORT

- 1) Approval to remove members Michael Ruberton, and Nicole Ruberton from Fire Company #2 and the removal of member Nicholas DeStefano from Fire Company #1. Based on the recommendation by the Chief of the Fire Department
- 2) Accept retirement of Jorge Barreto from the Highway Department as of November 1, 2019.
- 3) Accept resignation from Alana Donahue from her crossing guard position effective June 18, 2019.
- 4) Approve transfer of Lylia Portalatin as Bilingual Key Board Clerk 1 from the Hammonton Municipal Court to Police Records under the same title effective September 1, 2019.
- 5) Approval to advertise for a Confidential Clerk 1 for the Clerk's office. 19.5 to 26.5 hours per week at \$14.00 per hour no benefits.
- 6) Accept membership of Vincent Tomasello to Fire Company #2, approved by Fire Chief.
- 7) Approval to extend Robin Ripa's Temporary Appointment as a Part Time Keyboard Clerk I, 19.5 hours a week at \$14.00 per hour, and no benefits for an 8 week period, until October 25th.
- 8) Accept the resignation of Police Officer Brandan Campbell effective September 15, 2019.
- 9) Approval to advertise for a Truck Driver Heavy position in the Public Works Department.
- 10) Approval to advertise for a Sewage Plant Attendant / Truck Driver Heavy in the Utility Department.

APPROVE BILL LIST & PURCHASE ORDERS

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

Introduction of Ordinance #023-2019 Fixing Salaries of Municipal Utility Department

AN ORDINANCE FIXING THE SALARIES OF MUNICIPAL UTILITY DEPARTMENT
BE IT ORDAINED BY MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON,
COUNTY OF ATLANTIC, NEW JERSEY as follows:

Section 1. The Town of Hammonton has employed qualified personnel for purpose of handling the duties in the Utility department. Pursuant to a negotiated contract between the representatives of the MUNICIPAL UTILITY DEPARTMENT, the salaries, clothing allowance, education stipend, health insurance buyout, cell phone reimbursement, sick time, vacation time, personal time, comp time, holidays and overtime shall apply to Members for contract term 2018-2021. Individuals shall be paid pursuant to the contract. Minimums and maximum salaries as per contract are as follows:

	MINIMUM	MAXIMUM
04743 Assistant Sludge Plant Operator / Repairer	29,183.00	60,000.00
05479 Assistant Water Treatment Plant Operator	29,183.00	60,000.00
05523 Assistant Sewage Plant Operator	29,183.00	60,000.00

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

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

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

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

Section 6. This ordinance shall take effect after final passage and publication according to law and its provisions shall be retroactive to May 1, 2019.

Introduction of Ordinance #024-2019- No Parking Elvins Ave

AN ORDINANCE AMENDING Chapter 271 Vehicles and Traffic
Article II Section 6 entitled “**Parking Prohibited at all Times on Certain Streets**”

BE IT ORDAINED by the Mayor and Common Council of the Town of Hammonton, County of Atlantic, State of New Jersey that Chapter 271-6 is amended follows:

<u>Name of Road</u>	<u>Location</u>
Elvins Ave	between Bellevue Ave to Linda Ave

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.

Introduction of Ordinance #025-2019- Emergency Management Coordinator

RESOLUTIONS

Resolution #121-2019- Authorize Downtown Trick or Treat

RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON DOWNTOWN TRICK OR TREAT EVENT
WITH ROAD CLOSURES

WHEREAS, Saturday, October 19(rain date October 26) is the scheduled date for the MainStreet Hammonton Downtown Trick or Treat Event from 2:00pm – 4:00 p.m.; and

WHEREAS, Downtown Businesses will be distributing treats and organizing activities from their stores for children throughout the event; and

WHEREAS, Mainstreet Hammonton is requesting the following road closures and police assistance for this event during the hours of 11am- 5pm at

Central Avenue between Bellevue Ave. (Rt. 54) and Vine Street

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Downtown Trick or Treat Event is approved with road closures and police assistance specifically crossing assistance at intersections on Bellevue Avenue contingent upon contacting Police Chief and Public Works Manager 2 months prior to event;

Resolution #122-2019- Grant for Body Armor Replacement

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

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

WHEREAS, the Town has received a grant award in the amount of \$3,138.96 from the State of New Jersey Division of Criminal Justice for Body Armor and wishes to amend its 2019 Current Fund Budget to include this amount as a revenue.

NOW, THERFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$3,138.96 which has been awarded and is available as a revenue from:

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

Body Armor Replacement Fund

BE IT FURTHER RESOLVED that a like sum of \$3,138.96 is and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Body Armor Replacement Fund

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

Resolution #123-2019- Grant for Drive Sober get pulled Over

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

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

WHEREAS, the Town has received notice of a grant award in the amount of \$5,500.00 from the State of New Jersey for Drive Sober or Get Pulled Over Statewide Labor Day Crackdown and wishes to amend its 2019 Current Fund Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Current Fund Budget of the year 2019 in the sum of \$5,500.00 which has been awarded and is available as a revenue from:

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

2019 Drive Sober or Get Pulled Over Statewide Labor day Crackdown

BE IT FURTHER RESOLVED that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

- General Appropriations:
- Operations - Excluded from "CAPS":
- Public and Private Programs Offset by Revenues:

2019 Drive Sober or Get Pulled Over Statewide Labor day Crackdown

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

Resolution #124-2019 – Approve Tree Lighting Ceremony

**RESOLUTION AUTHORIZING AND ENDORSING
MAINSTREET HAMMONTON TOWN TREE LIGHTING EVENT**

WHEREAS, Saturday, December 7th (rain date, Dec 8th) is the scheduled date for the MainStreet Hammonton Town Tree Lighting Event from 5 pm- 9pm. at the intersection of Bellevue and Central and we request the road closure of Central Avenue between Bellevue and Vine from 9am-10 pm; and

WHEREAS, Saturday, December 7th, has been scheduled as the date for the MainStreet Hammonton carriage rides from 6:00 to 9:00 pm with the request of permitting the carriage route to begin at 310 Bellevue Ave and to then turn right onto School House Lane and permit us on this presently one way route and agree to the route listed below:

Carriage Route

Rides will begin in front of 310 Bellevue Avenue.
Proceed down Bellevue and turn right onto School House Lane

Proceed down School House Lane and turn right onto Vine Street
Proceed down Vine Street and turn right onto 3rd Street.
Proceed down 3rd Street and turn right onto Bellevue Avenue and return to 310 Bellevue.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, STATE OF NEW JERSEY, that the MainStreet Hammonton Town Tree Lighting Event and Carriage Ride Event is acknowledged and endorsed with road closures, no parking, and police assistance contingent upon contacting Police Chief and Public Works Manager 2 months prior to event;

Resolution #125-2019- Approval to change fee for special events at Canoe Club

AMENDING RESOLUTION 060-2010
ESTABLISHING AUTHORIZED USES OF THE CANOE CLUB

WHEREAS, the Town of Hammonton desires to establish and authorize certain uses for the premises at the Hammonton Lake Park known as the Canoe Club (the "Facility"); and

WHEREAS, the Town Clerk or Recreation Supervisor shall require all entities desiring to use the Facility to complete a use of facility form which he/she shall compile and tender to the Clerk enumerating the uses of the facility for each month, which list shall be included in the Clerk's Report at the monthly Town Council meeting.

WHEREAS, the Town Clerk Office or Recreation Supervisor shall receive, review and retain all use of facility request forms and verify the validity of the Applicant's Certificate of Insurance;

WHEREAS, the Town Clerk or Recreation Supervisor shall forward all Canoe Club use of facility applications to Hammonton Park Commission for final approval;

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 following procedures be changed to all entities desiring to use the Facility;

1. The Facility in question shall be available for:

C. "Special events" open to all Hammonton seniors at which food and/or entertainment are provided. A fee, equivalent to the actual cost of the food and entertainment, but in no event in excess of \$10.00 per person (subject to increases/decreases consistent with the annual Social Security COLA), may be charged to attendees to defray or minimize the cost of such special events.

Resolution #126-2019 – 159 Grant for Neighborhood Preservation Program

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

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

WHEREAS, the Town has received notice of a grant award in the amount of \$125,000.00 from the State of New Jersey Department of Community Affairs for a Neighborhood Preservation Program and wishes to amend its 2019 Current Fund Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Town of Hammonton hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue

in the Current Fund Budget of the year 2019 in the sum of \$125,000.00 which has been awarded and is available as a revenue from:

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

Neighborhood Preservation Program

BE IT FURTHER RESOLVED that a like sum of \$125,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

Neighborhood Preservation Program

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

Resolution #127-2019 – Small Cities Citizen Participation Plan

CITIZEN PARTICIPATION PLAN

FY 2020 Small Cities Programs

Public Facilities Fund: Americans with Disabilities Act (ADA)-compliant Improvements of Recreational Facilities at Hammonton Lake Park

WHEREAS, the Town of Hammonton is applying for a Small Cities grant under the Public Facilities Fund and if awarded intends to enter into Grant Agreements with the New Jersey Department of Community Affairs; and

WHEREAS, these Grant Agreements will require the Town of Hammonton to comply with all federal regulations with respect to citizen participation;

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

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the Town of Hammonton; and

The Town of Hammonton will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above, if awarded.

Resolution #128-2019- Grant Management Plan Small Cities Program

**GRANT MANAGEMENT PLAN
FY 2020 Small Cities Programs**

**Public Facilities Fund: Americans with Disabilities Act (ADA)-complaint Improvements to
Recreational Facilities at Hammonton Lake Park**

WHEREAS, the Town of Hammonton is applying for a Small Cities grant from the Public Facilities Fund and, if awarded funding, will entered into a Grant Agreement with the New Jersey Department of Community Affairs; and

WHEREAS, the Town is required to submit a Grant Management Plan as part of each Small Cities application;

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

The Grant Management Plan prepared by the Town and submitted to DCA Small Cities with the application for the various improvements at Hammonton Lake Park is hereby adopted to identify Tammy Wetzel of Triad Associates as the Project Coordinator and Municipal Clerk Frank Zuber as the Program Director and Official Contact Person.

Resolution #129-2019 – Identifying CDBG Fair Housing Officer

**IDENTIFYING CDBG FAIR HOUSING OFFICER
Public Facilities Fund: Americans with Disabilities Act (ADA)-compliant
Improvements for Playground Facilities at Hammonton Lake Park**

WHEREAS, the Town of Hammonton is applying for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDCA) for funds to develop Americans with Disabilities Act (ADA)-compliant Improvements for Playground Facilities at Hammonton Lake Park, and;

WHEREAS, the Town of Hammonton must make efforts to affirmatively further fair housing, and;

WHEREAS, the Town of Hammonton has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development, and;

WHEREAS, the Town of Hammonton has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and Regulations issued thereto, and;
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it, and;
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing, and;
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Frank Zuber shall be designated as the Fair Housing Officer for the Town of Hammonton, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of her appointment as Fair Housing Officer and request Fair Housing Information, and;

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the Town of Hammonton, and;

BE IT FURTHER RESOLVED that the Town of Hammonton will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Resolution #130-2019 - authorize the application for ADA Compliant Improvement Grant Lake Park

Whereas, the Town of Hammonton desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$400,000.00 to carry out a project to Develop ADA Compliant Improvements for the recreation facilities at the Hammonton Lake Park;

Be it therefore RESOLVED,

1) that the Town of Hammonton does hereby authorize the application for such a grant; and,

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

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Resolution #131-2019- Execute Grant Application FAA Perimeter Fence

GRANT APPLICATION EXECUTION

WHEREAS, The Federal Aviation Administration has offered the Town of Hammonton a Grant from the Airport Improvement Program for the Installation of a Perimeter Fence Design and Permitting, Phase 1; and

WHEREAS, the Town of Hammonton must have an authorized representative execute the required paper work for the grant;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HAMMONTON THAT:

Frank Zuber the Municipal Clerk/Airport Manager is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the Federal Aviation Administration regarding AIP Grant Number 3-34-0017-025-2019.

Resolution #132-2019 – Authorize Various Refunds

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

2302/1/C0026	Corelogic		720.50	tax overpayment
3801/35	Corelogic		4,177.46	tax overpayment
1001/58	11 Chew Dev. LLC	609 13 th St.	760.21	change in assessment
2709/20.09	Morris, Bernard Jr. & Joan M	427 Bella Vita Ct	1,816.33	change in assessment
4703/14.02	Penza, Richard & Marlene	235 Plymouth Rd	1,039.92	change in assessment
5101/4	Donio, Joseph Jr.	293 N. Union Rd.	1,107.23	change in assessment
4119/3	Dade, Derrick	240 Lakeview Dr.	234.12	exempt veteran
1709/47	Aiello, Anthony	1055 n 1 st Rd	4,860.42	cancel tax exempt veteran
1201/1.10/T01	Town of Hammonton		2,799.69	cancel balances TOH
1201/1.10	Town of Hammonton		4,067.81	cancel balances TOH
3606/18	Town of Hammonton		4,508.04	cancel balances TOH

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 #135- 2019 - Amending Bid Painting of Water Tower

AMENDING RESOLUTION #091-2019 AWARDING BIDS FOR PAINTING OF WATER TOWER MATHEMATICAL ERROR ON TOTAL PAGE OF LOWEST BIDDER

WHEREAS, the Town of Hammonton received bids for the Hammonton Water Tower Rehabilitation and Painting and Project; and

WHEREAS, said bids were received on April 25, 2019; and

WHEREAS, Two (2) bids were received and evaluated; and

WHEREAS, the summary of the bids received for the project are as follows with a complete bid tabulation form attached hereto:

CONTRACTOR	BASE BID COST
Allied Painting Inc.	\$578,123.00
Brave Industrial Paint, LLC	\$756,000.00

WHEREAS, the recommendation of award to Mayor and Council was to consider all bids received and the packet of information submitted with each bid; and

WHEREAS, after review from the Town Solicitor and consideration of the funding made available through the project which are depicted in the bid summary above; and

WHEREAS, based on the award recommendation, the lowest responsible bidder on the project was Allied Painting Inc., in the amount of \$578,123.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Hammonton that an award of the contract for the bids for the Hammonton Water Tower Rehabilitation and Painting and Project received on April 25, 2019 be made to Allied Painting Inc, in the amount stated above in accordance with the review of the bid documents by the Town Solicitor recommendation.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Mayor and Town Council to award this contract with the following conditions:

1. The Town Solicitor review and approve the bid package submitted by the lowest responsible bidder to ensure compliance with the applicable bid requirements.
2. Subject to certification as to the availability of funds from the Town's Chief Financial Officer. 20 day estoppel period and adoption of Ordinance

Resolution #136 -2019 – Appoint Fire Official

A RESOLUTION APPOINTING THE FIRE OFFICIAL
OF THE TOWN OF HAMMONTON

NOW THERE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Michael Ruberton be appointed as Fire Official for the Town of Hammonton effective June 1, 2019;

BE IT FURTHER RESOLVED THAT a certified copy of this resolution be filed with the New Jersey Division of Fire Safety.

Resolution #137-2019- Certification of Annual Audit

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

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

WHEREAS, the **Annual Report of Audit for the year 2018** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

Resolution #138-2019 – Approve Corrective Action Plan

CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2018.

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

WHEREAS, the Corrective Action Plan of the Town of Hammonton for the 2018 Report of Audit is as follows:

Finding No. 2018-001:

Condition:

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

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

Corrective Action: This required disclosure is mandated by an accounting disclosure standard adopted by the Governmental Accounting Standards Board (GASB) Statement No. 45. In New Jersey, municipalities and counties report and budget under regulatory accounting practices and therefore are not required to “book” OPEB future obligations. The Town carries its medical health insurance with the State Health Benefits Program (SHBP). The required disclosure, with which the Town complies, only references where information can be found on the SHBP and is not required to include any future obligation. The dental and vision insurance coverage is contracted through a private carrier and only represents less than 10% of the Town’s total annual SHBP obligation. The Chief Financial Officer and the Town Accountant have exhausted numerous possibilities to have these calculations prepared at no cost to the taxpayers without success. Therefore, since there is no financial impact on the Town for not obtaining the actuarially calculated obligation for its future cost of dental and vision insurance coverage for retired employees, the Town will continue to evaluate the cost/benefit of budgeting taxpayer funds in future budget years in order to solely comply with a financial disclosure requirement that has no financial impact on the Town’s current operations.

BE IT RESOLVED, that the Corrective Action Plan for the 2018 Report of Audit of the Town of Hammonton be approved by the Governing Body of the Town of Hammonton; and

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

Resolution #139- 2019 – Authorize Halloween Parade

RESOLUTION AUTHORIZING AND ENDORSING
KIWANIS CLUB HALLOWEEN PARADE

WHEREAS, Kiwanis Club of Hammonton has and continues to promote the Town of Hammonton with scheduled events in the downtown business district; and

WHEREAS, Mayor and Council has and continues to support the efforts of Kiwanis Club of Hammonton; and

WHEREAS, October 23, 2019 is the scheduled date for the Annual Kiwanis Club Halloween Parade (rain date to be October 24, 2019);

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

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

Resolution #140-2019 – Setting Salaries of Certain Employees

RESOLUTION SETTING SALARIES OF EMPLOYEES

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

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

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

<u>Employee</u>	<u>TITLE</u>	<u>Salary Effective 5/1/2019 to 12/31/2019</u>
Municipal Utility	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 73,710.00
Michael Perna	Sr.WtrTrmtPltOpr /Rp	\$ 75,945.00
Michael Ruberton	Sr.Sewer Repairer 2 /Water Repairer 2/Rp	\$ 74,210.00
<u>Employee</u>	<u>TITLE</u>	<u>Salary Effective 1/1/2020 to 12/31/2020</u>
Municipal Utility	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 75,368.00
Michael Perna	Sr.WtrTrmtPltOpr/Rp	\$ 77,653.00
Michael Ruberton	Sr.Sewer Repairer 2 /Water Repairer 2/Rp	\$ 75,879.00
<u>Employee</u>	<u>TITLE</u>	<u>Salary Effective 1/1/2021 to 12/31/2021</u>
Municipal Utility	Sr.Sewer Repairer 2	
Louis Penza	/Water Repairer 2/Rp	\$ 77,440.00

Michael Perna	Sr.WtrTrmtPltOpr/Rp	\$ 79,787.00
	Sr.Sewer Repairer 2	
Michael Ruberton	/Water Repairer 2/Rp	\$ 77,965.00

Resolution #141-2019 – Commit to Competitive Contracting Process

TO COMMIT TO THE COMPETITIVE CONTRACTING PROCUREMENT PROCESS PURSUANT TO NJSA 40A:11-4.1 THROUGH 40A:11-4.5 FOR CERTAIN PROFESSIONAL SERVICES, CONTINGENT UPON AN FY2020 SMALL CITIES GRANT AWARD FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS TO DEVELOP AMERICANS WITH DISABILITIES ACT (ADA)-COMPLIANT RECREATIONAL FACILITIES AT HAMMONTON LAKE PARK

WHEREAS, the Town of Hammonton intends to submit in September 2019 an application to the New Jersey Department of Community Affairs, Small Cities Public Facilities Fund to develop ADA-compliant recreational facilities at Hammonton Lake Park; and,

WHEREAS, the Small Cities Program requires, in certain instances, that professional services associated with the implementation of a Small Cities award be procured through a Competitive Contracting process;

BE IT THEREFORE, RESOLVED, that the Town of Hammonton does hereby commit to authorize the issuance of Requests for Proposals (RFP), under the aforementioned State Competitive Contracting guidelines, for Professional Engineering Services, contingent upon award of said Small Cities grant; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk will be directed to advertise these RFPs for a period of not less than 20 days in the Town's official newspaper of record; that the Town will strive to obtain three or more proposals; and the Town will proceed with the RFP evaluation process if at least two proposals are received.

PUBLIC HEARD

MEETING ADJOURNED