

Regular Meeting of Mayor and Council July 26, 2021
Town Hall Council Chambers, 100 Central Avenue
Executive Session 6:00 P.M.
Public Session 7:00 P.M.

MEETING CALLED TO ORDER

ATTENDANCE ROLL CALL

Councilperson:
Furgione - Present
Giralo - Present
Gribbin - Present
Oliva - Present
Olivo - Present
Rodio – Present
Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, PWM

EXECUTIVE SESSION Resolution #084-2021

Motion by Council Person Gribbin Second Giralo
Enter into Executive Session

Motion by Council Person Olivo Second Furgione
Close Executive Session

RESUME REGULAR MEETING-ROLL CALL

Councilperson:
Furgione - Present
Giralo - Present
Gribbin - Present
Oliva - Present
Olivo - Present
Rodio – Present
Mayor DiDonato - Present

PRESENT ALSO

Michael Malinsky, Town Solicitor
Robert Vettese, Public Works Manager
Dave Cella 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. Each person who wishes to address Council will be allotted 5 minutes.

PLEDGE OF ALLEGIANCE

PUBLIC HEARD FOR AGENDA ACTION ITEMS

- **Walt Kelly 31 Alexander Drive** – Spoke about the Basin issue at Blueberry Ridge they need it fixed. Their issue has fallen on death ears.
- **Bill Cappuccio 267 Chestnut Street**- He had background in construction and wants to know what the plan is to fix the issue at Blueberry Ridge (Pulte) retention basin. Spoke about the performance bonds for the project and wanted to know why the Town advocate is not helping these citizens.
- **Mark Santora Old Forks Road**- What the following info:
 - 1) What soil sample was taken and the location.
 - 2) Boring Samples
 - 3) Complete Bond History
- 410 11th Street Linda Fulleylove – Concerned about the speeding on her street. Would like a sign to be placed on street.
- **Mayor DiDonato commented**- we can not comment on the issue regarding Blueberry Ridge (Pulte) due to a current law suit.
- **Mike Malisnki commented**- Once Law suit is resolved mayor and council can comment, but until it is resolved no one on council can respond.

APPROVAL OF MINUTES

Executive Minutes June 28, 2021

Council Minutes June 28, 2021

Motion by Council Person Rodio Second Giraldo

Minutes are approved

Roll Call

Councilperson:

Furgione - Yes

Giraldo – Yes

Gribbin - abstain

Oliva – Yes

Olivo - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PRESENTATION

DISPENSE WITH REGULAR ORDER OF BUSINESS

Public Hearing of Ordinance #005- 2021- Mullica Joint Municipal Court

AN ORDINANCE OF THE TOWN OF HAMMONTON ESTABLISHING A SINGLE JOINT MUNICIPAL COURT WITH MULLICA TOWNSHIP AND AMENDING CHAPTER 14, ARTICLE I OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 2B:12-1(b) authorizes the formation of a single Joint Municipal Court provided that an Agreement is entered into by the Town of Hammonton and Mullica Township and provided that the Agreement is filed

with the State of New Jersey Administrative Director of the Courts and the Assignment Judge of the Superior Court of New Jersey, Atlantic County; and

WHEREAS, the Town of Hammonton desires to enter into an Agreement to form a Joint Municipal Court with Mullica Township; and

WHEREAS, it is in the best interest of the Town of Hammonton to participate in the Joint Municipal Court with Mullica Township.

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

Chapter 14, Article I, Section 1 is amended to read as follows:

§14-1. Establishment.

A Joint Municipal Court is established, pursuant to the provisions of N.J.S.A. 2B:12-1, et. seq., as amended and supplemented, consisting of the Town of Hammonton, Borough of Folsom, Egg Harbor City, Buena Vista Township and Mullica Township. The Joint Municipal Court with Folsom was created in accordance with an Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated December 28, 2017, executed by the municipalities in January of 2018, and First Addendum to the Agreement dated September 19, 2019, fully executed on December 3, 2019, and is subject to the terms thereof. The Joint Municipal Court with Egg Harbor City was created in accordance with an Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Egg Harbor City dated January 2, 2020, and executed in January of 2020, and is subject to the terms thereof. The Joint Municipal Court with Buena Vista Township was created in accordance with an Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Buena Vista Township dated August 24, 2020 and executed in August 2020. Mullica Township shall join the Joint Municipal Court of the Town of Hammonton in accordance with an Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Mullica Township dated April 26, 2021, and executed in May of 2021.

The terms and conditions of the Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Mullica Township dated April 26, 2021, are hereby approved. The Mayor and Clerk for the Town of Hammonton are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Town.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

Motion by Council Person Olivo Second Gribbin
Ordinance 005-2021 has been withdrawn

Roll Call

Councilperson:

Furgione - Yes

Giralo – Yes

Gribbin - Yes

Oliva – Yes

Olivo - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance # 008-2021- Amending Chapter 175 Accessory Structures

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

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

1. Chapter 175, Section 175-87(D) is amended to add the following sentence to the end of the Section:

If an accessory structure is erected in the side yard, it must be setback a minimum of 5 feet behind the front facade of the principle building.

2. Chapter 175, a Section 175-87(F) is added which states as follows:

F. Square footage. In no case shall the total cumulative area of all accessory structures exceed the following square footages:

- (1) FA, AP, and AP/CLI Zoning Districts-1,500 Square Feet;
- (2) RR Zoning District- 1,000 Square Feet;
- (3) R3 Zoning District - 500 Square Feet; and
- (4) RI and R2 Zoning Districts - 400 Square Feet.

Notwithstanding the above, Agricultural uses on qualified farms are not subject to the size restriction set forth in this Section 175-87(F), provided the accessory structure is to be utilized for the farming/agricultural operation. For purposes of this Section 175-87(F), the term "qualified farms" shall mean those farms that are a minimum size of 5 acres and meet the farmland assessment criteria.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

Motion by Council Person Gribbin Second Giraldo
Ordinance 008-2021 is open for public hearing

Motion by Council Person Gribbin Second Giraldo
Ordinance 008-2021 is adopted and approved for final publication

Roll Call

Councilperson:
Furgione - No
Giraldo – Yes
Gribbin - Yes
Oliva – Yes
Olivo - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #010-2021- Fixing Salaries for Employees

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

BE IT ORDAINED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the salaries, education stipend, cell phone reimbursement, sick time, vacation time, personal time, holidays, longevity shall apply to officials listed on this ordinance per Town code and individual contract. Salary minimum and maximums are as follows:

<u>Title</u>	<u>Minimum</u>	<u>Maximum</u>
Hammonton Municipal Court Judge	\$29,000.00	\$90,000.00

BE IT FURTHER ORDAINED that the specific salary for any municipal employee shall be set forth by appropriate salary resolution.

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

Motion by Council Person Gribbin Second Giraldo
Ordinance 010-2021 is open for public hearing

Motion by Council Person Gribbin Second Giraldo
Ordinance 010-2021 is adopted and approved for final publication

Roll Call

Councilperson:
Furgione - Yes
Giraldo – Yes
Gribbin - Yes
Oliva – Yes
Olivo - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Bond Ordinance #011-2021- ADA Improvements to Recreations Facilities Hammonton Lake Park

BOND ORDINANCE PROVIDING FOR ADA PLAYGROUND IMPROVEMENTS AT HAMMONTON LAKE PARK, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$440,000 THEREFOR (INCLUDING A GRANT FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM) AND AUTHORIZING THE ISSUANCE OF \$38,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of \$440,000, which sum includes a \$400,000 Community Development Block Grant administered by the State of New Jersey on behalf of the U.S. Department of Housing and Urban Development (the "Grant"), and \$2,000 as the amount of down payment for said improvement or purpose required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). Said down payment is now available therefor by virtue of an appropriation in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the part of said \$440,000 appropriation not provided for by application hereunder of said down payment and Grant, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$38,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Town in a principal amount not exceeding \$38,000 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 purpose for the financing of which said bonds or notes are to be issued is ADA playground improvements at Hammonton Lake Park. The improvements and purposes set forth in Section 3(a) shall also include, as applicable, all engineering and design work related thereto, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration,

environmental testing and remediation and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$38,000.

(c) The estimated cost of said improvement or purpose is \$440,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor, is the down payment in the amount of \$2,000 for said improvement or purpose and the Grant.

SECTION 4. Except for the Grant, in the event the United States of America, the State of New Jersey, the County of Atlantic or any other source makes a contribution or grant in aid to the Town, for the improvement and purpose authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, the County of Atlantic or any other source. Except for the Grant, in the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, the County of Atlantic or any other source, shall be received by the Town after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Town as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town, provided that no note shall mature later than one (1) year from its date or otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and

accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. 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 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which 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 average period of usefulness of said improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$38,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$88,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the purpose or improvement hereinbefore described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes 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 bonds or notes and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2 . No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Town for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Town, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$38,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

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

SECTION 11. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

Motion by Council Person Giraldo Second Rodio
Ordinance 011-2021 is open for public hearing

Motion by Council Person Giraldo Second Rodio
Ordinance 011-2021 is adopted and approved for final publication

Roll Call

- Councilperson:
- Furgione - Yes
- Giraldo – Yes
- Gribbin - Yes
- Oliva – Yes
- Olivo - Yes
- Rodio - Yes
- Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Public Hearing of Ordinance #012-2021- Sale of Town Property 782 Bellevue Ave

AN ORDINANCE OF THE TOWN OF HAMMONTON AUTHORIZING THE SALE OF TOWN OWNED LAND

WHEREAS, Lot 18 of Block 3606 are owned by the Town of Hammonton; and WHEREAS, Lot 18 of Block 3606 is vacant land and not needed for public purposes; and WHEREAS, it is in the best interest of the Town to sell Lot 18; and

WHEREAS, the Town proposes to sell such land by Open Public Sale to the highest bidder as authorized by N.J.S.A. 40A:12-13(a).

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

1. The Town Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Town's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13:

Block 3606, Lot 18 - at a minimum amount of \$65,000.00

2. The minimum bid for the lot is set forth above. No bid less than the minimum amount set forth will be considered.

3. The Town Clerk is directed to advertise the sale in a newspaper circulating in the Town by two (2) insertions at least once week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of the public sale.

4. The property set forth above is not necessary for public municipal purposes and the best interest of the public shall be served in selling said property by public sale to the highest bidder at or above the minimum price set forth above with Town Council reserving the right to accept or reject or otherwise remove any lot from sale. The public sale shall take place on Monday, September 27, 2021, at 10:00 AM at the municipal building located at 100 Central Avenue, Hammonton, NJ 08037. Bids shall be received by the Town Clerk in accordance with the procedures to be announced by the Town Clerk. A deposit by certified check, bank check or money order made payable to the Town of Hammonton in an amount not less than ten percent (10%) of the bid must be paid by the successful bidder at the time of the sale. The balance of the bid amount shall be paid by certified check, bank check or money order made payable to the Town of Hammonton at closing which shall occur not later than forty-five (45) days following acceptance of the bid by Town Council. The Clerk may by announcement made at the time and place scheduled for the public sale adjourn the sale to another date and time and such announcement shall be deemed adequate notice to all interest parties.

5. Any person bidding on behalf of a corporation or company must submit a copy of a Resolution of the corporation or company authorizing the bidder to bid on the property on behalf of the corporation or company. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners, if any.

6. All bids shall be referred to Town Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the Town reserves the right to accept the highest bid or to reject any and all bids for

any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.

7. The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title, not to exceed \$250.00. The costs of preparation of the deed of conveyance and related documents for the transfer of title must be paid by certified check, bank check or money order made payable to the Town of Hammonton and provided to the Town of Hammonton within ten (10) days of the date of sale. The successful bidder shall be responsible for the recording of the deed and for the cost of such recording.

8. A bargain and sale deed without covenants shall be delivered at the office of the Town Clerk on or before forty-five (45) days after Council approval of the sale. The Mayor and Town Clerk are hereby authorized to execute said deed and other conveyance documents and the Town Attorney is authorized to prepare such deed and documents.

9. In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions by the Town:

(a) In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the Town any and all monies deposited with the Town.

(b) The Town does not warrant or certify title to the property and in no event shall the Town be liable for any damages to the successful bidder if title is found defective or marketable for any reason, and the bidder waives any and all rights and damages or by way of liens against the Town, the sole remedy of the bidder being the right to receive a refund prior to closing of title of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Town shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

(c) The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Town of Hammonton, and the reservation of an easement for all natural constructive drainage systems, swales, pipes, drains, inlets, waterways and other easements, if any, on the land and a continued right of maintenance and flow thereof. The Town shall be without obligation to provide access, public or private, or to provide any improvements.

(d) The deed will also contain a covenant that neither the purchaser nor any future owner or potential developer of the lot may ever in any manner, directly or indirectly, assert a claim against the Town of Hammonton based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

(e) The Town makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.

10. The Town Clerk, the Mayor and the Town Attorney are authorized to prepare and execute any and all documents necessary and to take any and all such actions as may be required to effect the transaction set forth herein.

11. The Town Clerk shall file with the Director of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(a).

12. Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other duly authorized representative. However, no commission shall be paid by the Town of Hammonton to any real estate agent or broker or other representative in connection with any sale.

13. The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Town of Hammonton.

14. All potential sales are subject to final approval by Town Council. This includes the right of Town Council to remove a property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated, any monies paid by a successful bidder will be refunded.

15. The Town reserves the right to waive any and all defects, informalities and irregularities in any bid. The Town further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, re-advertise the property for sale. No bid shall be considered finally accepted until confirmed by Town Council.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

Motion by Council Person Giraldo Second Rodio
Ordinance 012-2021 is open for public hearing

Motion by Council Person Giraldo Second Olivo
Ordinance 012-2021 is adopted and approved for final publication

Roll Call

Councilperson:
Furgione - Yes
Giraldo - Yes
Gribbin - Yes
Oliva - Yes
Olivo - Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

COMMITTEE REPORTS

Administration - Councilman Gribbin

Motion by Council Person Gribbin Second Giraldo

Approval of Clocktoberfest on October 9th. Contingent upon all applications / Insurance certificates and hold harmless forms completed.

Roll Call

Councilperson:

Furgione - Yes

Giraldo – Yes

Gribbin - Yes

Oliva – Yes

Olivo - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

- Reviewed admin meeting
- Court proceedings will stay virtual for now. If that changes he will update.
- Code Enforcement Office interviews for full-time will occur next week
- Town website is being converted to a new platform and will be under construction for a couple of weeks.
- Thanked all the volunteers for the Mt Carmel Festival

Business & Industry – Councilman Olivo

- New business opened in Town- Just IN time, Piney Hollow Gomez Studies and Rowan Family Medicine
- August 14th 4th Annual gold tournament at Pine Lands Gold Course cal 609-561-9080 for details.
- August 7th Art and Music Festival will occur
- 8/17 Peach Party from 9am to 1pm will be in the parking lot Annata Wine bar.
- 8/19/2021 will be the 3rd Thursday downtown
- 8/21/2021 food truck festival on Bellevue Ave
- 8/29/2021 the Porto Rican Festival will be held Procession at 1, rising of the flag at 2.

Quality of Life – Councilman Oliva

- Environmental Commission held their meeting on July 14th and reviewed 6 tree removal permits
- They applied for a new grant with Sustainable NJ
- Green Day Festival will be on October 2nd with a rain date of the 3rd
- Thanked everyone that worked the festival and the Highway dept for their hard work.
- National Night Out will be August 6th
- Updated the work at Columbus Plaza and thanked everyone for there help.

Education - Councilman Giraldo

- August 5th the summer will be completed
- A parent input is available online for them to complete regarding opening of school.
- Food pickup is still available
- Teachers start August 26th
- Students Start September 1st.

Public Works & Transportation - Councilman Rodio

- Spoke about Engineers' report

Law & Order - Mayor DiDonato

- Kevin Friel police chief gave the report.
- He spoke about the Mt Carmel Festival and thanked everyone involved
- Updated the Hazard Mitigation that the Town is working on. Asked for citizens input.
- The Town received a body-worn camera grant .

Water & Sewer - Councilman Furgione

- Gave update on installation of water meters.
- Vac Truck should be here by end of August
- Land Application is running 8 to 10 hours per day

ENGINEER REPORT

ACTION ITEMS:

1. **School House Lane – 3rd Street to Rt. 54 (ARH #11-40060):**

Bids were received on Tuesday July 20th. There were five (5) bidders and the low bid was received at \$921,281.00 for the base bid. This is well above the original estimate. Some of the cost increase can be associated with additional storm sewer work that was not initially anticipated. However, material pricing appears to be driving the value of the bids up. In discussion with PWTC it was felt we should revisit the bid later this year, with a work start anticipated in the Spring of 2022.

Action Requested:

1. Reject Bids for the School House Lane project due to cost.

Resolution #095-2021- Reject Bids under clerks reports

SOLICITOR REPORT

Introduction of Ordinance #013-2021 Joint Municipal Court

AN ORDINANCE OF THE TOWN OF HAMMONTON ESTABLISHING A SINGLE JOINT MUNICIPAL COURT WITH MULLICA TOWNSHIP; REAFFIRMING AND AMENDING JOINT MUNICIPAL COURT WITH THE BOROUGH OF FOLSOM, BUENA VISTA TOWNSHIP AND EGG HARBOR CITY; AND AMENDING CHAPTER 14, ARTICLE I OF THE GENERAL ORDINANCES OF THE TOWN OF HAMMONTON

WHEREAS, N.J.S.A. 2B:12-l(b) authorizes the formation of a single Joint Municipal Court provided that an Agreement is entered into by the Town of Hammonton and Mullica Township and provided that the Agreement is filed with the State of New Jersey Administrative Director of the Courts and the Assignment Judge of the Superior Court of New Jersey, Atlantic County; and

WHEREAS, the Town of Hammonton desires to enter into an Agreement to form a Joint Municipal Court with Mullica Township; and

WHEREAS, the Town of Hammonton, Borough of Folsom, Buena Vista Township and Egg Harbor City desire to enter into new Agreements for a Joint Municipal Court , which new Agreements shall replace the existing Joint Municipal Court Agreements set forth in existing Town of Hammonton Ordinance Section 41-1; and

WHEREAS, it is in the best interest of the Town of Hammonton to participate in a Joint Municipal Court with Mullica Township, Borough of Folsom, Buena Vista Township and Egg Harbor City.

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

1. Chapter 14, Article I, Section 1 is amended to read as follows:

§ 14-1. Establishment.

A Joint Municipal Court is established, pursuant to the provisions of N.J.S.A. 2B:12-1, et. seq., as amended and supplemented, consisting of the Town of Hammonton, Borough of Folsom, Egg Harbor City, Buena Vista Township and Mullica Township. The Joint Municipal Court with Folsom was created in accordance with an Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated December 28, 2017, executed by the municipalities in January of 2018, and First Addendum to the Agreement dated September 19, 2019, fully executed on December 3, 2019 (the "Prior Folsom Agreements"), which Prior Folsom Agreements were replaced in their entirety with the Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated June 28, 2021, and

is subject to the terms thereof. The Joint Municipal Court with Egg Harbor City was created in accordance with an Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Egg Harbor City dated January 2, 2020, and executed in January of 2020 (the "Prior EHC Agreement"), which Prior EHC Agreement was replaced in its entirety with the Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Egg Harbor City dated June 28, 2021, and is subject to the terms thereof. The Joint Municipal Court with Buena Vista Township was created in accordance with an Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Buena Vista Township dated August 24, 2020 and executed in August 2020 (the "Prior BVT Agreement"), which Prior BVT Agreement was replaced in its entirety with the Agreement for Joint Municipal Court for the Municipalities of the Town of Hammonton and Buena Vista Township dated June 28, 2021, and is subject to the terms thereof. Mullica Township shall join the Joint Municipal Court of the Town of Hammonton in accordance with an Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Mullica Township dated June 28, 2021, and executed in August 2021.

2. The terms and conditions of the Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Mullica Township dated June 28, 2021, are hereby approved. The Mayor and Clerk for the Town of Hammonton are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Town.

3. The terms and conditions of the Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and the Borough of Folsom dated June 28, 2021, are hereby approved. The Mayor and Clerk for the Town of Hammonton are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Town.

4. The terms and conditions of the Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Buena Vista Township dated June 28, 2021, are hereby approved. The Mayor and Clerk for the Town of Hammonton are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Town.

5. The terms and conditions of the Agreement for a Joint Municipal Court for the Municipalities of the Town of Hammonton and Egg Harbor City dated June 28, 2021, are hereby approved. The Mayor and Clerk for the Town of Hammonton are hereby expressly authorized to execute and deliver the aforesaid Agreement on behalf of the Town.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any Ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and manner prescribed by law.

Motion by Council Person Gribbin Second Olivo

Ordinance #013-2021 has passed 1st reading and is approved for legal advertisement

Roll Call

Councilperson:

Furgione - Yes

Giralo – Yes

Gribbin - Yes

Oliva – Yes

Olivo - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

Motion by Council Person Giralo Second Gribbin

Seek authorization to execute agreement for settlement of Bike Path legal issue and to have mayor sign the agreement.

Roll Call

Councilperson:

Furgione - Yes

Giralo – Yes

Gribbin - Yes

Oliva – Yes

Olivo - Yes

Rodio - Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

MAYOR REPORT

No action items

PWM REPORT

Safe Routes to Schools, Sooy Elementary School

An amendment to the 2021 Municipal budget is required to accept the NJDOT funds (\$324,908.97). This would allow a purchase order to be issued to GPI. They could then begin the survey, environmental, ROW, permitting work, etc. required for the preliminary project design.

Drainage Projects

We approved some of the shop drawings for the project as provided by JCM. The onsite preconstruction meeting will occur on Wednesday the 28th or Thursday the 29th. The work will start the following week weather permitting.

Hammonton Middle School Tennis Court Improvements

Electri-Tech was present onsite on Tuesday and changed the light fixtures, light switch and minor modifications inside the electrical panel. The new lights are now operational. We are waiting for further direction on the work to be completed by the School to allow coordination with the fence contractor. It is anticipated the School Board will discuss this topic at this month's meeting.

Electric Vehicle Charging Station, Vine Street Parking Lot

The Town has received notice and an agreement from the State for approval of a grant in the amount of \$8,000 maximum for the installation of a dual port electrical vehicle charging station within the Vine Street municipal parking lot across from Town Hall. We will be preparing the project specifications once the funding agreements are signed by the NJDEP.

Sustainable N.J. Atlantic City Electric Grant

The Environmental Commission prepared and submitted an application for a project that will hopefully will be eligible for a \$2,000 to \$5,000 maximum grant from the Sustainable N.J. Atlantic City Electric grant program. The project included some drainage and clean-up work adjacent to the Central Avenue drainage outfall near Bachelor Lane. A Resolution supporting the application is on the agenda for endorsement consideration.

Rt. #54 NJDOT update

A representative from NJDOT indicated their contractor will be resurfacing a portion of Rt. #54 extending from Tilton Street to West End Avenue during the month of July or early August, weather permitting. We will check on the status and keep Council informed once a final date is known.

Bellevue Avenue Parklets and Crosswalks

A letter was sent to Vanessa Meades at the NJDOT regarding the guidelines for establishment of parklets within the downtown area along with the possibility for the placement of new painted crosswalks at the downtown intersections along Rt. #54. Any information received will be shared with the downtown representatives and Council.

Rt. #54 Water Main Replacement

Council approved the ARH proposal last month related to completing the work for the Rt. #54 water main replacement project along with a section of 1st Road near 10th Street and the White Horse Pike, State Rt. #30 near Seagrove Avenue. It does not seem beneficial to use the I-Bank H2Loans for this work; therefore the Town must establish the funds for at least the survey, design plans, permitting etc., this year for bid and construction next year.

Storm Water Utility Program

Princeton Hydro will be continuing with their evaluation report and will be scheduling a second meeting with the steering committee for input, questions and direction soon. They will send out a notice for same.

Pedestrian/Bicycle Master Plan Report

Sam Schwartz consultant for the Town has completed the final version of the report which was approved by the State. If deemed acceptable by the Town, approval action by the Town would be appropriate.

Rt. #30, NJDOT Resurfacing Project, Atco Ave. to Rt. #206

The NJDOT will hold a virtual preconstruction meeting related to the above noted resurfacing project for Friday, 07/30/2021 at 10:00 a.m. We will be attending and will keep Council informed of their work schedule.

Other items

August schedule (items must be out prior to 6 am)

- Bulky 2nd to 6th – 3 item limit
- Brush 9th to 13th – One (1) 6' x 6' pile allowed
- Recycling pickup by the County will occur on August 9th to the 13th and August 23rd to the 27th.

TOWN CLERK REPORT

- 1) Accept resignation of Brian Leon from his position as a laborer in the Highway Department effective July 30, 2021.
- 2) Accept Carter MCCullough as a regular member of Fire Company #1. Approved by Fire Chief. All paper complete and approved.
- 3) Approval for Lynda Rehamann to serve as a witness on the behalf of the Town of Hammonton related to the Frog Rock Litigation at a rate of \$120.00 per hour. Capped at 80 hours not to exceed \$9,600.00
- 4) Approval to move Jacqueline Martinez from her part-time temporary 6 month position to part time bi-lingual key board clerk effective August 1, 2021. 19 to 26 per hour's week at \$15.00 per hour, no benefits. Contingent upon civil service approval.

Motion by Council Rodio Second Furgione
Approval of items 1 to 4

Roll Call

Councilperson:
Furgione – Yes
Giralo – Yes
Gribbin - Yes
Oliva – Yes
Olivo- Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

APPROVE BILL LIST & PURCHASE ORDERS

Motion by Council Gribbin Second Giralo
Approval of Bill list and purchase orders

Roll Call

Councilperson:
Furgione – Yes
Giralo – Yes
Gribbin – Yes
Oliva – Yes
Olivo- Yes
Rodio - Yes
Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

NEW BUSINESS

ORDINANCES FOR INTRODUCTION

RESOLUTIONS

Resolution #085-2021- 159 Budget Addition for NJ DOT Grant for Safe Routes to School

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

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

WHEREAS, the Town has received notice of an amount of \$324,908.97 from the New Jersey Department of Transportation, Division of Local Aid and Economic Development and wishes to amend its 2021 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 2021 in the sum of \$324,908.97 which has been awarded and is available as 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:

NJ DOT, Sooy Elementary Area Sidewalk and ADA Ramp Imp.

BE IT FURTHER RESOLVED that a like sum of \$324,908.97 is and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

NJ DOT, Sooy Elementary Area Sidewalk and ADA Ramp Imp.

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

Resolution #086-2021 – Approve Hammonton Green Day Festival

**RESOLUTION AUTHORIZING AND ENDORSING
HAMMONTON GREEN DAY FESTIVAL**

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

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

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

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

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY that the Town of Hammonton authorizes and endorses the Hammonton Green Day Festival to held at the Hammonton Lake Park on Saturday October 2, 2021 from 12 -4 pm with a rain date of Sunday October 3, 2021:

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

Resolution- #087-2021 Corrective Action Plan

CORRECTIVE ACTION PLAN

Corrective Action Plan of the Town of Hammonton, County of Atlantic, State of New Jersey, for the year 2020.

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 2020 Report of Audit is as follows:

Finding No. 2020-001:

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 2020 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 #088-2021 – Accept 2020 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 2020** 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 #089-2021- Authorizing Touch a Truck Event

RESOLUTION AUTHORIZING AND ENDORSING
TOUCH A TRUCK EVENT

WHEREAS, MainStreet Hammonton Organization 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 MainStreet Hammonton; and

WHEREAS, Sunday, August 29, 2021 is the scheduled date for the MainStreet Hammonton Annual "Touch a Truck" event during the hours of 12:00 p.m. to 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 8:00 a.m. to 5:00 p.m to parking and traffic:

S. 2nd from Bellevue Avenue to Vine Street; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted noting NO PARKING AFTER 8:00 a.m.; and

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the August 29, 2021 and the "Touch a Truck" event, including the above requests for street closures, and posting of "NO PARKING" signs are acknowledged, approved and endorsed;

Resolution #090-2021- 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:

Employee	Title	Salary Effective 1/1/2020 to 12/31/2020
<u>Construction Office</u> Andrea Effinger	Dept. Head	\$63,503.00

Employee	Title	Salary Effective 1/1/2021 to 12/31/2021
<u>Construction Office</u> Andrea Effinger	Dept. Head	\$65,183.00

Resolution 091-2021- Appoint Municipal Clerk

**A RESOLUTION APPOINTING THE MUNICIPAL
CLERK OF THE TOWN OF HAMMONTON**

WHEREAS Title 40A:9-133.7 requires the governing body of the registration district to appoint a Municipal Clerk; and

WHEREAS Title 40A:9-133.7 allows for reappointment of the Municipal Clerk after serving 3 consecutive years as the Municipal Clerk; and

NOW THERE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Frank Zuber is appointed as Municipal Clerk for the Town of Hammonton effective June 25, 2021;

BE IT FURTHER RESOLVED THAT a certified copy of this resolution be filed with the State Registrar according to law.

Resolution #092-2021- Authorizing Cruisin Maintstreet

**RESOLUTION AUTHORIZING AND ENDORSING
CRUISIN MAINSTREET-REMEMBER FRIDAY NIGHTS EVENT**

WHEREAS, MainStreet Hammonton Program 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 MainStreet Hammonton; and

WHEREAS, Numerous Town residents have requested a Cruisin' MainStreet event each year; and

WHEREAS, Friday, September 17, 2021 (rain date Sept 18) is the scheduled date for the MainStreet Hammonton Annual "Cruisin' MainStreet-Remember Friday Nights" event during the hours of 5:30 p.m. to 9:30 p.m.; and

WHEREAS, Main Street Hammonton has requested the following street closures for this event between the hours of 3:00 p.m. to 10:00 p.m.:

Central Avenue (Rt. 542) from Bellevue Avenue to Vine Street;
N. Egg Harbor Road between Rt. 54 and Pleasant Street;
Orchard Street Railroad Crossing;
Front Street from Twelfth Street to Passmore Avenue; and

WHEREAS, Main Street Hammonton has requested the reservation of the following parking spaces:

West side of Rt. 54 between Third Street and West End Avenue;
East side of Rt. 54 between Third Street and Egg Harbor Road;
Both sides of Railroad Avenue between 12th Street and Orchard St;
Both sides of Egg Harbor Road between Bellevue Ave. and Pleasant St; and

WHEREAS, Main Street Hammonton has requested appropriate Police Parking Control signs to be posted early in the day noting NO PARKING AFTER 4:00 p.m.; and

WHEREAS, Main Street Hammonton has requested 2 Police Officers to direct traffic at the intersections of Bellevue Avenue at Central Avenue and Bellevue Avenue at Egg Harbor Road due to increased event related pedestrian and vehicular traffic on State Route 54;

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC, STATE OF NEW JERSEY, that the September 17, 2021 (rain date Sept 18) and the "Cruisin' Main Street" event, including the above requests for street closures, reservation of parking spaces, posting of "NO PARKING" signs and two police officers are acknowledged, approved and endorsed;

Resolution #093-2021- Approve Purchase of Police Vehicles

**A RESOLUTION APPROVING THE CONTRACT FOR THE AWARD
TO PURCHASE FIVE 2021 FORD INTERCEPTORS OPTIONS**

WHEREAS, there exists a need to purchase 5 Ford 2021 Interceptors & Options, for the Hammonton Police Department; and

WHEREAS, the Police Department recommend, after comparing the price and particular suitability, that a contract be awarded to Winner Ford to purchase the vehicles under state contract # T2100, in the amount not to exceed \$179,950.00.; and

WHEREAS, funds are available in the Operating Budget; and

WHEREAS, N.J.S.A. 40A:11-1-et seq. requires that the resolution authorizing the awarding of the contract without competitive bidding and the contract itself must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL FOR THE TOWN OF HAMMONTON, ATLANTIC COUNTY, NEW JERSEY that the Mayor and Town Clerk of the Town of Hammonton are hereby authorized and directed to enter into an agreement with Winner Ford, for the purchase 5 Ford 2021 Interceptors & Options; and

BE IT FURTHER RESOLVED, that the contract is awarded without competitive bidding in accordance with N.J.S.A. 40A:11-12 of the Local Public Contracts Law as a State Approved Contractor # T2100; and

BE IT FURTHER RESOLVED, that the contract is subject to the mutual acceptance of the appropriate contact documentation between the Winner Ford and the Town of Hammonton.

Resolution #094-2021- Requesting Early Voting in the Town of Hammonton

**Resolution Requesting Early Voting
In the Town of Hammonton**

WHEREAS, the State of New Jersey will allow early voting in the upcoming election on November 2, 2021; and

WHEREAS, the Town of Hammonton is in the 8th district which is the largest populated area in the Western part of Atlantic County; and

WHEREAS, there are 2 locations that fit the criteria and both location can be used for early voting simultaneously;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Common Council of the Town of Hammonton, Atlantic County, State of New Jersey the Town petitions the Atlantic County Board of Elections to allow Hammonton to

be the site for Early voting for the voters in Atlantic County. The Clerk will forward a copy of this resolution to the Atlantic County Board of Elections.

Resolution #095-2021- Reject Bids for School House Lane Project

**RESOLUTION REJECTING BIDS FOR SCHOOL HOUSE LANE
ROADWAY AND UTILITY IMPROVEMENTS PROJECT**

WHEREAS, the Town of Hammonton received bids for the School House Lane Roadway and Utility Improvements Project on Tuesday July 20, 2021; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council of the Town of Hammonton reject the bids for the School House Lane Roadway and Utility Improvements Project as received on July 20, 2021.

Resolution #096-2021 – Assignment of Tax Sale Certificate

RESOLUTION AUTHORIZING ASSIGNMENT

WHEREAS, N.J.S.A. 54:5-113 authorizes by a municipality of tax sale certificates for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and,

WHEREAS, Gino Pinto has presented an offer to purchase, by assignment, Certificate of Sale #14-00027, which was issued to the Town of Hammonton at a tax sale held December 29, 2014, on Block 1802 Lot 6, 369 Old Forks Rd., Hammonton, NJ, and assessed to Triad III LLC c/o WM Bowman, in the amount of \$22,452.74, being the full amount of the certificate, including all subsequent municipal taxes and other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hammonton hereby authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of the above-referenced Certificate of Sale.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Tax Collector.

Resolution #097-2021 – Appoint Landscape Architect

**Resolution Appointing Professional Services for
A Landscape Architect**

Whereas, the Town of Hammonton requested qualification for a Landscape Architect; and

Whereas, the Town received qualification on July 21, 2021 at 4:00 pm for Landscape Architect Services

Now, therefore, the Mayor and Council of the Town of Hammonton wish to appoint Taylor Design Group to provide Landscape Architectural Services to the Town of Hammonton, County of Atlantic.

Resolution #098-2021- Authorizing Acceptance of Body-Worn Camera Grant

**Authorizing Acceptance of Grant for Body-Worn Camera
from the State of New Jersey Department of Law and Public Safety**

Whereas, the Town of Hammonton applied for and was awarded a grant in the amount of \$61,140.00 from the New Jersey Department of Law and Public Safety; and

Whereas, The Grant is identified as SFY21 Body-Worn Camera #BFY21-100-066-1020-495. The Grant period will be from January 1, 2021 to December 31, 2025; and

Furthermore, the Town of Hammonton and the Hammonton Police department are authorized to accept the Award; and

Now therefore be it resolved, that the Mayor and Council of the Town of Hammonton, County of Atlantic, is accepting the Grant identified as SFY21 Body-Worn Camera #BFY21-100-066-1020-495 in the amount of \$61,140.00.

Resolution #099-2021- 159 Budget Amendment Body-Worn Cameras

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 an amount of \$61,140.00 from the New Jersey Department of Law and Public Safety, Office of the Attorney General and wishes to amend its 2021 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 2021 in the sum of \$61,140.00 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:

New Jersey Department of Law and Public Safety- Body-Worn Camera

BE IT FURTHER RESOLVED that a like sum of \$61,140.00 is and the same is hereby appropriated under the caption of:

General Appropriations:

Operations - Excluded from "CAPS":

Public and Private Programs Offset by Revenues:

New Jersey Department of Law and Public Safety- Body-Worn Camera

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

Resolution #100-2021- Support Submission of Grant for Sustainable New Jersey

Resolution Authorizing Submission of a Sustainable Jersey Grant Application

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Hammonton strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Town of Hammonton is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Mayor and Town Council of the Town of Hammonton have determined that Hammonton should apply for the aforementioned Grant.

THEREFORE, BE IT RESOLVED, that the Mayor and Town Council of the Town of Hammonton, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

Motion by Council Person Giraldo Second Rodio
Resolutions #085 to #100 are approved.

Roll Call

Councilperson:

Furgione – Yes, abstain on Resolution #97-2021

Giraldo – yes

Gribbin - Yes

Oliva – Yes

Olivo- Yes

Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

PUBLIC HEARD

- Ed Wuillermin 2nd Road Hammonton - Spoke about the Pulte issue and the council not be able to answer the questions from the public. Blueberry Ridge Basin issue.
- Bill Cappuccio 267 Chestnut Street – Spoke about the new courts coming to Town Hall and the parking issue this may cause. Also questioned why the record dept. was closed and is there sufficient staff to handle new courts coming.
- Mike Malinski responded and answered his questions.
- Mayor DiDonato responded and said it is a long process and we must keep a level head.
- Frank Zuber Clerk- spoke about the tax bills and that the Town is still waiting for the County rate.

MEETING ADJOURNED

Motion by Council Person Giraldo Second Gribbin

