

Regular Meeting of Mayor and Council March 25, 2024
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 -
Gribbin –
Marino -
Oliva-
R. Rodio-
S. Rodio –
Mayor DiDonato -

Mayor DiDonato declared the motion carried

PRESENT ALSO

Michael Malinsky, Town Solicitor
Bob Vettese, Public Works Manager

EXECUTIVE SESSION Resolution #052-2024

RESUME REGULAR MEETING-ROLL CALL

Councilperson:

Furgione -
Gribbin –
Marino -
Oliva-
R. Rodio-
S. Rodio –
Mayor DiDonato -

Mayor DiDonato declared the motion carried

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

Regular Minutes February 26, 2024
 Executive Minutes February 26, 2024

PRESENTATION

- Kevin Friel Presentation Officer of the year & Corporal promotion

DISPENSE WITH REGULAR ORDER OF BUSINESS

RESOLUTION #060-2024- Temporary Capital Budget

WHEREAS, the need has arisen to introduce bond ordinance's to provide funds for the Purchase of Trash Trucks, Auxiliary Equipment and Trash Toters, New Computer Program for the Construction Office and various Computer Upgrades to the Town's System, Old Forks Road Roadway Improvements, Additional Funds for the Purchase and Installation of a Centrifuge, and the Purchase and Installation of a Fence to Enclose the Boyer Avenue Drip and Installation of New Doors at the Utility Garage, including all appurtenances necessary and related thereto, and;

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

WHEREAS, the ordinance provides a total appropriation as follows:

General Capital Fund

1) <u>Purpose</u>	<u>Total</u>	<u>Capital Improvement Fund</u>	<u>Grants</u>	<u>Debt Authorized</u>
Purchase of Trash Trucks, Auxiliary Equipment & Trash Toters	\$ 825,000	\$ 783,750		\$ 41,250
New Computer Program for Construction Office & Various Computers Upgrades to Town's System	50,000	47,500		2,500
Old Forks Road Roadway Improvements	<u>269,995</u>	<u> </u>	<u>\$ 269,995</u>	<u> </u>
Total	<u>\$ 1,144,995</u>	<u>\$ 831,250</u>	<u>\$ 269,995</u>	<u>\$ 43,750</u>

Utility Capital Fund

1) <u>Purpose</u>	<u>Total</u>	<u>Debt Authorized</u>
Purchase and Installation of a Centrifuge	\$ 250,000	\$ 250,000
Extension of Water & Sewer at Old Forks Road	400,000	400,000

Purchase & Installation of Fence To enclose Boyer Avenue Drip and Installation of New doors at Utility Garage	55,000	55,000
Total	<u>\$ 305,000</u>	<u>\$ 305,000</u>

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Town of Hammonton, County of Atlantic that:

- (1) a Temporary Capital Budget is hereby created for the following:

General Capital Fund

Purchase of Trash Trucks, Auxiliary Equipment & Trash Toters	\$ 825,000
New Computer Program for Construction Office & Various Computer Upgrades to Town's System	50,000
Old Forks Road Roadway Improvements	269,995

Water/Sewer Utility Capital Fund

Purchase and Installation of a Centrifuge	\$ 250,000
Purchase & Installation of Fence To enclose Boyer Avenue Drip and Installation of New doors at Utility Garage	55,000

- (2) the projects will be included in the Annual Capital Budget, and
(3) one certified copy shall be forwarded to the Director of the Division of Local Government Services immediately after passage.

Public Hearing of Bond Ordinance #005-2024- Sewer Infrastructure Study

BOND ORDINANCE PROVIDING FOR SEWER INFRASTRUCTURE STUDY AND MINOR REPAIRS TO THE SEWER SYSTEM, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; REAPPROPRIATING \$98,750.00 IN EXCESS BOND AND NOTE PROCEEDS FROM VARIOUS BOND ORDINANCES NOT NEEDED FOR THEIR ORIGINAL PURPOSE AND APPROPRIATING \$395,000 TO PAY FOR THE COST THEREOF, WHICH AMOUNT WILL BE FUNDED BY A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY GRANT RECEIVED OR EXPECTED TO BE RECEIVED BY THE TOWN

WHEREAS, the Town Council of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"), finally adopted various bond ordinances of the Town, as more fully described in Section 1 herein (collectively, the "Ordinances"); and

WHEREAS, following the effective dates, respectively, of the Ordinances, the Town issued bonds and notes to fully fund same and to finance the improvements or purposes authorized therein; and

WHEREAS, the Town has determined that the capital improvements or purposes set forth in the Ordinances have either been completed in full or discontinued as a result of events occurring subsequent to the adoption of the Ordinances, as applicable; and

WHEREAS, there currently remains on deposit in the Town’s capital accounts excess bond and note proceeds allocable to the Ordinances (the “Excess Proceeds”), but no longer necessary to complete the improvements or purposes authorized therein; and

WHEREAS, in accordance with the statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the “Local Bond Law”), the Town Council of the Town has determined that it is in the best interest of the Town to reappropriate the Excess Proceeds to finance the costs of sewer infrastructure study and minor repairs to the sewer system in and by the Town (the “New Purpose”), for which bonds may be issued, thereby eliminating the need for the Town to incur additional debt to finance such current capital needs; and

WHEREAS, the Town Council of the Town now desires to reappropriate the Excess Proceeds to undertake the New Purpose.

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

SECTION 1. The following amounts of Excess Proceeds from the Ordinances listed below are no longer necessary for the improvements or purposes for which they were appropriated, authorized and issued:

<u>Bond Ordinance Number and Date of Adoption</u>	<u>Excess Proceeds Amount</u>	<u>Section of Bond Ordinance Reappropriated From</u>
26-2011, finally adopted December 19, 2011	\$18,260.00	Section 3(a)
33-2014, finally adopted December 1, 2014	\$ 4,981.38	Section 3(a)
6-2019, finally adopted April 29, 2019	\$27,108.16	Section 3(a)
8-2019, finally adopted May 20, 2019	\$23,900.00	Section 3(b)
3-2021, finally adopted April 26, 2021	<u>\$24,500.46</u>	Section 3(a)(iii)
Total:	<u>\$98,750.00</u>	

SECTION 2. The total amount of \$98,750.00 in Excess Proceeds is hereby reappropriated pursuant to N.J.S.A. 40A:2-39, and shall be used to finance the cost of the undertaking by the Town of general capital improvements or purposes for which bonds may be issued. Said general capital improvements or purposes are set forth in Section 3(a) of this bond ordinance.

SECTION 3. (a) The capital improvements hereby authorized and purposes for which the Excess Proceeds are to be reappropriated is for the New Purpose.

(b) The improvements or purposes set forth above in Section 3(a) shall also include, as applicable, all engineering and design work, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. The amount of \$395,000 is hereby appropriated to pay for the New Purpose as referenced in Section 3(a) herein, which amount will be funded by a United States Environmental Protection Agency Grant received or expected to be received by the Town and deposited into the Capital Improvement Fund of the Town for said improvements or purposes stated in Section 3(a) herein.

SECTION 5. In the event the United States of America, the State of New Jersey and/or the County of Atlantic make a contribution or grant in aid to the Town for the improvement or purpose authorized hereby and the same shall be received by the Town, then such funds shall be applied to the payment of debt service on the bonds issued for such improvement or purpose and shall be used for no other improvement or purpose.

SECTION 6. The capital budget or temporary capital budget, as applicable, of the Town is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, is on file in the office of the Clerk and is available for public inspection.

SECTION 7. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bond and note proceeds reappropriated by this bond ordinance.

SECTION 8. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by the Local Bond Law.

COMMITTEE REPORTS

Administration - Councilman Gribbin

Business & Industry – Councilman Oliva

Quality of Life – Councilwoman R. Rodio

Education – Councilman Marino

Public Works & Transportation Councilman Sam Rodio

Law & Order – Councilman Rodio

Water & Sewer - Councilman Furgione

ENGINEER REPORT

ACTION ITEMS:

No Action Items for March

PUBLIC WORKS INFORMATION ITEMS:

Roadway & Transportation Projects:

1. **NJDOT FY2022/FY2023 Municipal Aid: Old Forks Road (ARH #11-40061):** **95% Complete**
We are requesting a time extension from the NJDOT, with a resolution to be voted on at the Council meeting. After modifying the plans to include additional scope, the budget exceeded the grant amount and they had to be revised. Our office plans on having the utilities constructed in the spring, and having the paving completed in late summer prior to the 2024-2025 school year.
2. **11th Street Sidewalk Improvements (ARH #11-40062):** **95% Complete**
Our office has completed the design of the 11th Street Sidewalk project. We are awaiting approval from the NJDOT to advertise for bidding.
3. **Hammonton Bike Path Connector – Phase II (ARH #11-40052.07):** **70% Complete**
We are in the process of performing soil testing and finalizing the drainage design prior to submitting it to the Pinelands for review.
4. **K&K Linens Property / 224 Vine Street (ARH #11-01094.07):** **75% Complete**
Triad Associates is investigating the potential for grant funding, which could potentially cover the costs of the parking lot construction as well as the inclusion of a solar canopy.

Environmental Projects:

5. **Hammonton Lake Aquatic Survey (ARH #11-90033):** **Ongoing**
Our office submitted a response to the latest Pinelands Commission review letter on March 11, 2024. No additional information has been received in the past few weeks.
6. **Mazza Muffler Site / 104 S. Egg Harbor Road (ARH #11-01102):** **Ongoing**
Additional investigation of subsurface conditions will be ongoing for the near future.
7. **Octagon Oil/Vine Street Parking Lot (ARH #11-01060):** **Ongoing**
The Remedial Action Permit (RAP) remains under review by the NJDEP.
8. **Skinner Property / 317 N. Egg Harbor Road (ARH #11-01074.06):** **Ongoing**
Our office continues to perform soil sampling and testing at the site.

9. **Celona Site Remediation - 130 Railroad Avenue (ARH #11-01054):** **Ongoing**
Long-term monitoring at this site continues to be performed.

SEWER/WATER INFORMATION ITEMS:

10. **Route 54 Water Main Replacement Project (ARH #11-30167):** **80% Complete**
Our office has submitted the Bureau of Safe Drinking Water application for the water main extension. Our office will work with Triad Associates to pursue NJDEP iBank funding. We anticipate construction in 2024.
11. **Boyer Avenue Pump Station (ARH #11-50058):** **90% Complete**
We have finalized a new design with individual grinder pumps. Our office has had discussions with the residents to finalize the location of the pumps and anticipate being ready to bid in April.
12. **Lakeview Gardens Water Main Extension (ARH #11-30172)** **Ongoing**
Our office has begun the surveying phase of this project.
13. **4th Street Water Tower Temporary Water Storage (ARH #11-30171)** **Ongoing**
A contract was issued to Garrison Enterprises. The temporary water tank was delivered and placed in service within the past few days.
14. **Water Quality Accountability Act Compliance (ARH #11-30166):** **Ongoing**
Our office has received approximately 30% of the expected responses to the lead service line survey we created. We continue to draft policy, notification, prioritization, funding, and implementation documents, which will also include annual LSL reporting to the state and GIS updates.

GENERAL SITE AND RECREATION INFORMATION ITEMS:

15. **Lake Park ADA Playground/Small Cities (ARH #11-01100):** **In Progress**
A stakeholder meeting to finalize the design scope was held in conjunction with Taylor Design Group. The design elements are being finalized. The anticipated submission date to the Pinelands Commission for review is June 1, 2024.
16. **Traditions at Blueberry Ridge (ARH #11-10044):** **In Progress**
The Contractor has been directed to install fountain aerators, which will bring this project to completion pending final certification from our office and the HOA's engineer.

SOLICITOR REPORT

MAYOR REPORT

PWM REPORT

TOWN CLERK REPORT

- 1) Approval to appoint Frank Lentz as the Conflict Public Defender for the Hammonton Joint Municipal Court for the remainder of 2024.
- 2) Approval of payment of Accrued unused vacation, sick, and personal time for Audrey Boyer and Dalton Scola per employment contract.
- 3) Accept resignation of Eric Adirzone from his position at the Highway department effective March 25th.
- 4) Accept resignation of Samuel Gardner and Dylan Lelyo as members of Fire Company #2 in good standing. Approved by Fire Company at their meeting on March 13th.
- 5) Accept Daniel Capella as a junior member, Cliff Demo and Kyle Santos as regular members of Fire Company #2. Police Background completed and approved at Fire Company meeting March 13, 2024
- 6) Approval to hire Chris Gerhing part time as an investigator trainee for the Hammonton Police Department. Yearly salary of \$20,000, no benefits for 1 year term starting March 13, 2024.
- 7) Approval to appoint Denis Mazzeo to Deputy Clerk effective April 1, 2024.

APPROVAL OF BILL LIST

NEW BUSINESS

Introduction of Capital Bond Ordinance #006- Purchase of Trash Trucks and Computer Upgrades

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 CAPITAL IMPROVEMENTS AND ACQUISITIONS, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, APPROPRIATING \$875,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$831,250 IN BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the aggregate sum of \$875,000, which sum includes \$43,750 as the aggregate amount of down payments for said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payments are now available by virtue of a provision or provisions in a previously adopted budget or budgets of the Town for down payment or for capital improvement purposes.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$875,000 appropriation not provided for by said down payments, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$831,250 pursuant to and within the limitations prescribed by

the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in a principal amount not exceeding \$831,250 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include, but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Purchase of Garbage Trucks, auxiliary equipment and trash toters; and	\$825,000	\$783,750	\$41,250	10 years
(ii) Purchase of a new computer program for construction office and various computer upgrades to the Town's system.	\$50,000	\$47,500	\$2,500	5 years
TOTALS	<u>\$875,000</u>	<u>\$831,250</u>	<u>\$43,750</u>	

(b) The above improvements and purposes set forth in Section 3(a) shall also include, as applicable, surveying, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, environmental testing and remediation and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$831,250.

(d) The aggregate estimated cost of said improvements or purposes is \$875,000, the excess amount thereof over the estimated maximum amount of bonds or notes to be issued therefor, is the aggregate down payments for said purposes in the amount of \$43,750.

SECTION 4. In the event the United States of America, the State of New Jersey and/or the County of Atlantic make a contribution or grant in aid to the Town for the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Atlantic. In the event, however, that any amount so contributed or

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Town (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Town may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 9.71 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 \$831,250 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$175,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

SECTION 8. The full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under

Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the Town for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the Town, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$831,250. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than 3 years after the expenditure is paid.

SECTION 10. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this ordinance.

SECTION 11. The Chief Financial Officer of the Town is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Town and to execute such disclosure document on behalf of the Town. The Chief Financial Officer is further authorized to enter into an appropriate undertaking to provide secondary market disclosure on behalf of the Town pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Town and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Town fails to comply with its undertaking, the Town shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 12. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Introduction of Capital Bond Ordinance #007- Roadway Improvements Old Forks Road (Grant)

CAPITAL ORDINANCE AMENDING CAPITAL ORDINANCE NUMBER 12-2023 FINALLY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY ON AUGUST 28, 2023, TO AMEND THE TITLE OF THE CAPITAL ORDINANCE AND TO INCLUDE THE REFERENCE OF AN ADDITIONAL DEPARTMENT OF TRANSPORTATION GRANT REFERRED TO IN SECTIONS 1 AND 3 THEREIN

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: Capital Ordinance Number 12-2023 finally adopted by the Town Council of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"), on August 28, 2023, entitled, "CAPITAL ORDINANCE APPROPRIATING \$287,800 TO PAY FOR VARIOUS ROADWAY IMPROVEMENTS TO OLD FORKS ROAD IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY" (the "Original Ordinance"), is hereby amended to the extent and with the effect as set forth below:

(a) The title of the Original Ordinance is hereby amended to read as follows:

"CAPITAL ORDINANCE APPROPRIATING \$557,795 TO PAY FOR VARIOUS ROADWAY IMPROVEMENTS TO OLD FORKS ROAD IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY".

(b) Section 1 of the Original Ordinance is hereby amended to read as follows: "The capital purposes described in Section 2 of the Original Ordinance are hereby authorized as general capital purposes to be undertaken by the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town"). For the said improvements or purposes stated in Section 2 of the Original Ordinance, there is hereby appropriated the amount of \$557,795, fully funded by a grant in the amount of \$287,800 received or expected to be received by the New Jersey Department of Transportation's Fiscal Year 2023 Municipal Aid Program and a grant in the amount of \$269,995 received or expected to be received by the New Jersey Department of Transportation's Fiscal Year 2024 Municipal Aid Program."

(c) Section 3 of the Original Ordinance is hereby amended to read as follows: “The expenditures totaling \$557,795 for the purposes set forth in Section 2 of the Original Ordinance are hereby authorized and approved.

SECTION 2: The Town hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Town is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

SECTION 3: Except as expressly amended hereby, the Original Ordinance shall remain in full force and effect.

SECTION 4: This capital ordinance shall take effect twenty (20) days after the first publication of the notice of final adoption of this capital ordinance, as provided by the Local Bond Law.

Introduction of Utility Bond Ordinance #008-2024 – Centrifuse Project

BOND ORDINANCE PROVIDING FOR THE PURCHASE AND INSTALLATION OF A CENTRIFUGE, BY AND IN THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$415,109.65 THEREFOR (A PORTION OF WHICH APPROPRIATION INCLUDES THE REAPPROPRIATION OF EXCESS FEDERAL FUNDS RECEIVED FROM THE AMERICAN RESCUE PLAN ACT OF 2021 IN THE AMOUNT OF \$165,109.65) AND AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OR NOTES OF THE TOWN TO FINANCE PART OF THE COST THEREOF

WHEREAS, the Town Council of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the “Town”), finally adopted Bond Ordinance Number 4-2023 on April 24, 2023 (the “Prior Ordinance”); and

WHEREAS, there currently remains on deposit in the Town capital accounts excess federal funds received from the American Rescue Plan Act of 2021, allocable to the Prior Ordinance (the “Excess ARP Funds”) but no longer necessary to complete the improvements or purposes authorized therein; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., the Town Council has determined that it is in the best interest of the Town to reappropriate \$165,109.65 in Excess ARP Funds to finance a portion of the cost of improvements or purposes for which bonds may be issued, thereby, decreasing the amount of additional Town debt to finance such current capital needs; and

WHEREAS, the Town Council now desires to reappropriate the \$165,109.65 Excess ARP Funds to undertake a portion of the cost of the improvements set forth in this ordinance which comprise improvements or purposes for which bonds may be issued; and

WHEREAS, the Town Council also now desires to appropriate additional monies and authorize the issuance of bonds or bond anticipation notes to undertake the portion of the cost of the improvements or purposes set forth herein.

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

SECTION 1. Excess ARP Funds in the amount of \$165,109.65 available under the Prior Ordinance are no longer necessary for the purposes for which they were authorized and issued.

SECTION 2. The total amount of \$165,109.65 in Excess ARP Funds is hereby reappropriated pursuant to N.J.S.A. 40A:2-39, and shall be used to finance a portion of the cost of the undertaking by the Town of general capital improvements or purposes for which bonds may be issued and, which general improvements or purposes are set forth in Section 5 of this bond ordinance.

SECTION 3. The improvements or purposes described in Section 5 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Town. For the said improvements or purposes stated in Section 5, there is hereby appropriated and reappropriated, as applicable, the aggregate sum of \$415,109.65, said sum being inclusive of the reappropriation of Excess ARP Funds in the amount of \$165,109.65. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water Utility is self-liquidating.

SECTION 4. For the financing of said improvements or purposes described in Section 5 hereof and to meet the part of said \$415,109.65 appropriation not provided for by application hereunder of said Excess ARP Funds. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Town in an aggregate principal amount not exceeding \$250,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

SECTION 5. (a) The improvement is hereby authorized and purpose for the financing of which said obligations are to be issued are as follows:

<u>Description</u>	<u>Appropriation/ (Reappropriation)</u>	<u>Authorization</u>	<u>Useful Life</u>
(i) purchase and installation of a centrifuge;	\$415,109.65 (including the Excess ARP Funds	\$250,000	15 years

<u>Description</u>	<u>Appropriation/ (Reappropriation)</u>	<u>Authorization</u>	<u>Useful Life</u>
	reappropriated from Bond Ordinance #4-2023)		
	TOTAL: \$415,109.65	\$250,000	

(b) The above improvement and purpose set forth in Section 5(a) shall also include the following, as applicable, surveying, construction planning, engineering and design work, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration and also all work, materials, equipment, labor and appurtenances as necessary therefor or incidental thereto.

(c) The aggregate estimated maximum amount of bonds or notes to be issued for said purposes is \$250,000.

(d) The aggregate estimated cost of said purposes is \$415,109.65, the excess amount thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the aggregate amount of \$250,000, is the reappropriation of the Excess ARP Funds in the amount of \$165,109.65.

SECTION 6. In the event the United States of America, the State of New Jersey and/or the County of Atlantic make a contribution or grant in aid to the Town for the improvements and purposes authorized hereby and the same shall be received by the Town prior to the issuance of the bonds or notes authorized in Section 4 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Atlantic. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Atlantic shall be received by the Town after the issuance of the bonds or notes authorized in Section 4 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.

SECTION 7. 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. 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 8. 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 9. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 5 of this bond ordinance are not current expenses and are improvements or purposes which the Town may lawfully undertake as general improvements or purposes for the Water Utility, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ___ 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 \$250,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes herein before described.

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

SECTION 10. Unless paid from other sources, the full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 11. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 5 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Town, or any member of the same "Controlled Group" as the Town, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 11 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 5 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Town for any expenditures toward the costs of the improvements or purposes described in Section 5 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures of bond proceeds,

“replacement proceeds” within the meaning of Treasury Regulation Section 1.148-1 of the bonds, or any other bond issue, or (iii) to reimburse the Town for any expenditure or payment that was originally paid with the proceeds of any obligation of the Town (other than borrowing by the Town from one of its own funds or the funds of a member of the same “Controlled Group” within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvements or purposes described in Section 5 hereof will be issued in an amount not to exceed \$250,000. 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 and Treasury Regulation Section 1.150-1. This provision will take effect immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

SECTION 12. 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, which are authorized herein, 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 15(c)2-12 of the Securities and Exchange Commission (the “Rule”) for the benefit of holders and beneficial owners of obligations of the Town, which are authorized herein, 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 13. The Town covenants to maintain the exclusion from gross income under section 103(a) of the Internal Revenue Code of 1986, as amended, of the interest on all bonds and notes issued under this ordinance.

SECTION 14. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption and approval by the Mayor, as provided by the Local Bond Law.

Introduction of Utility Bond Ordinance #009-2024- Boyer Ave Fence/ Old Forks Road Water/Sewer Upgrade

BOND ORDINANCE PROVIDING FOR VARIOUS 2024 WATER UTILITY CAPITAL IMPROVEMENTS IN AND BY THE TOWN OF HAMMONTON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$455,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$455,000 BONDS OR NOTES TO FINANCE THE COST THEREOF

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Water Utility (the "Water Utility") of the Town of Hammonton, in the County of Atlantic, State of New Jersey (the "Town") as general improvements. For the said improvements stated in Section 3, there is hereby appropriated the principal amount of \$455,000. Pursuant to the provisions of N.J.S.A. 40A:2-7(h) and 40A:2-11(c) of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), no down payment is required as the Water Utility is self-liquidating.

SECTION 2. For the financing of said improvement or purpose described in Section 3 hereof and to meet the \$455,000 appropriation, negotiable bonds of the Town are hereby authorized to be issued in the principal amount of \$455,000 pursuant to, and within the limitations prescribed by, the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Town in a principal amount not exceeding \$455,000 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

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

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(a) Purchase and installation of fencing to enclose Boyer Avenue Drip and the installation of new garage doors at the Utility Garage; and	\$ 55,000	\$ 55,000	10 years
(b) Extension of water and sewer along Old Forks Road.	\$400,000	\$400,000	20 years

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
TOTALS	<u>\$455,000</u>	<u>\$455,000</u>	

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

The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is \$455,000.

The estimated cost of said improvement or purpose is \$455,000.

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

SECTION 5. All bond anticipation notes issued hereunder shall mature at such time as may be determined by the Chief Financial Officer of the Town, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer of the Town shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer upon the notes shall be conclusive evidence as to

all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

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

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

(a) The purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the Town may lawfully undertake as general improvements or purposes for the Water Utility of the Town, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 18.79 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Town and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Town, as defined in the Local Bond Law, is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$455,000, and the obligations authorized herein will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$91,000 for items of expense listed in and permitted under N.J.S.A. § 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements hereinbefore described.

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

SECTION 8. Unless paid from other sources, the full faith and credit of the Town are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. Unless paid from other sources, the obligations shall be direct, unlimited obligations of the Town, and the Town shall be obligated to levy ad valorem taxes upon all the taxable property within the Town for the payment of the obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The Town reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the Town's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §1.150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Town for costs of the improvements or purposes described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized herein or another issue of debt obligations of the Town other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the Town for any expenditures toward the costs of the improvements or

purposes described in Section 3 hereof will be issued in an amount not to exceed \$455,000. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of section 150 of the Code. All reimbursement allocations will occur not later than eighteen (18) months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized herein is paid, or (ii) the date the improvements or purposes described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three (3) years after the expenditure is paid.

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

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

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

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

RESOLUTIONS

Resolution #053-2024- Appoint Temporary Purchasing Agent

**RESOLUTION APPOINTING A TEMPORARY QUALIFIED PURCHASING AGENT
PER THE PROVISIONS OF N.J. ADMIN. CODE 5:32-4.4**

WHEREAS, N.J. ADMIN. CODE 5:32-4.4 permits a municipal governing body to appoint a person who does not possess a Qualified Purchasing Agent Certificate to serve as a temporary purchasing agent for a term of 1 Year: and

WHEREAS, the Mayor and Council of the Town of Hammonton desires to appoint Kelly Vitalo as the Temporary Purchasing Agent for a term of 1 year, commencing on April 1, 2024 and expiring on March 31, 2025 for the Town of Hammonton;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Town of Hammonton, in the County of Atlantic, in the State of New Jersey hereby sets its bid threshold at \$44,000 and its quotation threshold to \$6,600; and

BE IT FURTHER RESOLVED, that the Mayor and Council of the Town of Hammonton hereby appoints Kelly Vitalo as the Temporary Purchasing Agent for a term of 1 year as stated above, to exercise the duties of a purchasing agent pursuant to N.J. ADMIN. CODE 5:32-4.4, with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the Town of Hammonton.

Resolution #054-2024- Award Contract under Cooperative OMNIA for Security system Town Hall

**RESOLUTION AWARDING CONTRACT
UNDER OMNIA COOPERATIVE PURCHASING AGREEMENT**

WHEREAS, the Town of Hammonton is a member of the OMNIA Cooperative purchasing program; and

WHEREAS, the Mayor and Council will be purchasing a Security System for Town Hall from Carasoft Technology Corp; and

WHEREAS, under the OMNIA cooperative purchasing agreement under the authority of N.J.S.A. 52:34-6.2 (b) (3) awards to Carasoft Technology Corp in the amount of \$119,047.00; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Hammonton, County of Atlantic, State of New Jersey that the purchase and installation of a Security System at Town Hall be awarded to Carasoft Technology Corp under contract number EDU SW: R191902 in the amount of \$119,047.00.

Resolution # 055-2024- Appoint recycling tonnage Coordinator

**RESOLUTION NAMING
CERTIFIED RECYCLING PROFESSIONAL,
AND AUTHORIZING GRANT APPLICATION
FOR RECYCLING TONNAGE GRANT FOR YEAR 2023**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of the municipality to recycling and to indicate the assent of the Town of Hammonton to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Scott Rivera Certified Recycling Professionals, is herein designated as the individual authorized to ensure that the application is properly completed and timely filed.

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 Town of Hammonton hereby endorses this submission of the Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and therefore designates Scott Rivera Certified Recycling Professional, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the Recycling Tonnage Grant be deposited in a dedicated Recycling Trust Fund to be used solely for the purpose of recycling; and

BE IT FUTHER RESOLVED that the Mayor, Town Clerk, Scott Rivera Certified Recycling Professional, are hereby authorized to execute any and all documents in furtherance of this Resolution

Resolution # 056-2024- Approve Good Friday Procession

RESOLUTION AUTHORIZING THE “SPANISH COMMUNITY GOOD FRIDAY PROCESSION”

WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph’s Church continues to promote the Town of Hammonton with their annual “Spanish Community Good Friday Procession”; and

WHEREAS, Friday March 29, 2024 at 4:30 p.m. is the scheduled date for the Spanish Community Good Friday Procession; and

WHEREAS, St. Mary of Mt. Carmel Parish/St. Joseph's Church has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for stations of the cross and procession:

From N. Third St.
To French St.
To Second St.
To Pleasant St.
To Tilton St.
To French
To N. Third St.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the Spanish Community Good Friday Procession is approved by the Town of Hammonton; and

BE IT FURTHER RESOLVED that the necessary certificate of insurance has been filed with the Town Clerk.

Resolution # 057-2024- Approve St John Precession

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

WHEREAS, St. John the Baptist Society continues to promote the Town of Hammonton with their annual "Feast of St. John" procession; and

WHEREAS, Mayor and Council has and continues to support the efforts of St. John the Baptist Society; and

WHEREAS, Monday June 24, 2024 at 7:00 p.m. is the scheduled date for the Feast of St. John religious procession to be held in the Town of Hammonton; and

WHEREAS, St. John the Baptist Society has requested assistance of the Town of Hammonton Police Department for this scheduled event and closure of the following streets in the Town of Hammonton for procession:

From St. Joseph Church (N. 3rd St.) left onto French St.
Right onto Second St. Right onto Pratt
Right onto Mt. Carmel Lane continuing onto Tilton
Right onto Pleasant St. Return to Church (N. 3rd St.)

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, that the **Feast of St. John** and procession of streets is acknowledged and endorsed by the Town of Hammonton contingent upon the following:

1. Filing of necessary insurance certificates by St. John the Baptist Society as required by the Town of Hammonton.
2. Filing of required State and/or County written approvals for street closures with the Town Clerk's office and the Chief of Police at least two weeks prior to event.

Resolution #058-2024- Various Refunds

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

BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that the following refunds/close out of accounts are authorized as approved by the respective Department Heads of the Town of Hammonton:

Bee, John	\$	883.75	Refund Escrow
Santora, Carmen	\$	280.00	Refund Escrow

Resolution #059-2024- Tax Water Sewer Refunds

**A RESOLUTION OF THE MAYOR AND COUNCIL
OF THE TOWN OF HAMMONTON
AUTHORIZING TAX / WATER / SEWER REFUNDS**

Whereas, the following accounts need to have amounts credited, transferred, cancelled, refunded or changed

<u>Block / Lot</u>	<u>Name</u>	<u>Address</u>	<u>Amount</u>	<u>Reason</u>
2602/10	Rehmann, Jack	431 Bernshouse Rd	\$324.00	refund/exempt vet
2602/10	Rehmann, Jack	431 Bernshouse Rd	\$1,457.97	Cancel/exempt vet
3903/10	Parvin Estates LLC	12 S 2 nd St	\$1,296.59	refund/overpayment

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 #061 -2024- Appoint Local Registrar

**A RESOLUTION APPOINTING THE LOCAL REGISTRAR
OF THE TOWN OF HAMMONTON**

WHEREAS Title 26:8-11 requires the governing body of the registration district to appoint a local Registrar of Vital Statistics; and

WHEREAS Title 26:8-13 sets the term of the local registrar for 3 years.

NOW THERE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF HAMMONTON, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY that Denise Mazzeo be appointed Registrar of Vital Statistics for the Town of Hammonton effective April 1, 2024 thru March 30, 2027;

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

PUBLIC HEARD

MEETING ADJOURNED