

**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 - Present  
Gribbin – Present  
Marino -Present  
Oliva- Present  
R. Rodio-Present  
S. Rodio – Present  
Mayor DiDonato - Present

**PRESENT ALSO**

Michael Malinsky, Town Solicitor  
Bob Vettese, Public Works Manager

**EXECUTIVE SESSION Resolution #052-2024**

Motion by Council Person Marino Second R. Rodio  
Enter into Executive Session

Motion by Council Person Marino Second Oliva  
Close Executive Session

**RESUME REGULAR MEETING-ROLL CALL**

Councilperson:  
Furgione - Present  
Gribbin – Present  
Marino -Present  
Oliva- Present  
Renee Rodio-Present  
Sam Rodio – Present  
Mayor DiDonato - Present

**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**

No one desired to be heard

**APPROVAL OF MINUTES**

Regular Minutes February 26, 2024

Executive Minutes February 26, 2024

Motion by Council Person Gribbin Second Marino  
Minutes are approved

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino –Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**PRESENTATION**

- Kevin Friel Presented the Officer of the year to Travis Hoffman
- Kevin Friel presented a promotion to John Amendolia to Detective

Kevin Friel presented Chris Henshaw with a promotion to corporal

Motion by Council Person Oliva Second Marino  
Approval to promote to Christopher Henshaw to corporal for the Hammonton Police Department

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino –Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

- At this point in the meeting a hearing occurred regarding Sergeant David Ruestle. This procedure went on for about 3.5 hours. Where each attorney (Steve bares representing the Town & Chris Gray from Sciarra & Catrambone representing David Ruestle) explained and had witnesses to the issue at hand. After each side was heard. The following ruling was accepted by both parties

**EXECUTIVE SESSION #2 Resolution #063-2024**

Motion by Council Person Marino Second Oliva  
Enter into Executive Session

Motion by Council Person Marino Second Furgione  
Close Executive Session

Motion by Council Person R. Rodio Second Marino  
Approval settlement regarding the above case with David Ruestle

- 1- Sergeant Ruestle will forfeit 24 hours of Comp time
- 2- Write the report that was requested
- 3- The Town will dismiss all charges
- 4- No Fee application for his attorney

**Roll Call:**

Councilperson:  
 Furgione - Yes  
 Gribbin – Recused  
 Marino –Yes  
 Oliva- Yes  
 R. Rodio- Yes  
 S. Rodio – Yes  
 Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**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**

<b>1) <u>Purpose</u></b>	<b><u>Total</u></b>	<b><u>Capital Improvement Fund</u></b>	<b><u>Grants</u></b>	<b><u>Debt Authorized</u></b>
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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**

<b><u>1) Purpose</u></b>	<b><u>Total</u></b>	<b><u>Debt Authorized</u></b>
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	<u>55,000</u>	<u>55,000</u>
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.

Motion by Council Person Marino Second Furgione  
Resolution # 060-2024 is approved

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**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.

Motion by Council Person Furgione Second S. Rodio  
Ordinance is open for public comment

Motion by Council Person Furgione Second S. Rodio  
Ordinance was heard for public hearing and is adopted and approved for final advertisement

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**COMMITTEE REPORTS**

**Administration - Councilman Gribbin**

- Reviewed Admin meeting

Motion by Council Person Gribbin Second Oliva  
Appoint Conflict Judge Carl N. Tripican Esq. for the year 2024

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**Business & Industry – Councilman Oliva**

- 3 new business moving into the Downtown
- Eastereggatraganza will be this Friday March 29, 2024
- 4/13/2024 Mainstreet Gala will be held contact Mica for info
- 4/24/24 Hammonton Chamber of Commerce will have there gala at Annata Wine Bar

**Quality of Life – Councilwoman R. Rodio**

- Community Market will be the 4<sup>th</sup> Friday of the month
- Salem Oak tree planning will take place in April at Oak Grove Cemetery
- Historical Tours will stat again this coming April.

**Education – Councilman Marino**

- The School did a great job with the play
- February was America heart month. The school raised over \$19,000.00
- School passed their budget with no increase
- Thanks Bob Capoferri for his donation

**Public Works & Transportation Councilman Sam Rodio**

- No Action items

**Law & Order – Councilman Rodio**

- No action items

**Water & Sewer - Councilman Furgione**

- Electrical contractor for the Centrifuse has started the install and should be completed with 30 days or so
- Update on Tower Painting
- New Turf field should be installed by this Friday March 29, 2024.
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**ENGINEER REPORT**

**ACTION ITEMS:**

**No Action Items for March**

**SOLICITOR REPORT**

- No action items

**MAYOR REPORT**

- Appoint Planning Zoning Members
  1. Jonathan Bask – to Mickey Pullia;s position
  2. Chris Kalani to Alt 1
  3. Phil Barbaglo – Alt 2
- Appoint Recreation Commission Members
  1. John Sciani
  2. Austin Elenbark

Motion by Council Person S. Rodio Second Furgione

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino -Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**PWM REPORT**

**4<sup>th</sup> Street Water Tank Painting**

The contractor, Dynamic Sandblasting and Painting LLC, has completed the majority of the sand blasting and prime coat on the tank. The color coat will follow. All work must be completed, and the tank placed back online by May 31<sup>st</sup>.

**Rt. #54 Resurfacing by NJDOT**

The Town has been in discussion with the NJDOT representatives, and their design consultants, related to items of concern that need to be discussed prior to final design of the project.

**Blk 3701, Lot 1, 9<sup>th</sup> Street, Egg Harbor Road Triangle**

The (Hansen Foundation) owner of the above noted has indicated their desire to sell the above noted parcel to the Town for the assessed value of \$5,600. The Mayor and Council have authorized the solicitor to proceed with the work required to perfect the property acquisition. The solicitor is also working on the foreclosure for the 2<sup>nd</sup> property within this location. The PWTC also asked that we check further into the possible purchase of the remaining SJ Gas Co. parcel on Lincoln Street adjacent to the Downtown wells and water tank.

**Myrtle Street Improvement Rt. #206 to Pine Road +/-**

The contractor, Arawak Paving Co. Inc. has started and should be completed the roadway paving portion of the project. The shoulder restoration and driveways will follow.

**Safe Routes to Schools (SRTS)**

The subcontractor for GPI will be completing soil probes along the project route soon to address the Pinelands storm water recharge requirements.

**Public Input Sessions for TDML/Watershed Protection Plan**

A public input session related to the above noted topic was presented to the Environmental Commission by Chris Obrupta from Rutgers Cooperative Extension Water Resources Program.

**Community Energy Plan Grant Program**

The resolution passed last council Meeting was provided to the Green Committee to include with the New Energy Program Community Energy Planning Grant Program to assist the Town in developing an Energy Master Plan to increase clean energy production, reduce energy use, and cut emissions. The Town is already pursuing a few projects to address this topic. The Town could receive up to \$10,000 during this initial program phase.

**2024 Road Program**

We will be meeting with Scott Rivera and the Public Works Committee to develop a list of roads and costs for implementation and establishment of a bond ordinance amount for the 2024 Road Program for Council's consideration.

**Lakeview Avenue Drainage Pipe Investigation**

We met with the property owner and will be contacting Mobile Dredging / Video Pipe to review their 2021 video and report the pipe section. We will request that they develop suggestions for repair where necessary and provide a cost estimate to complete that work for the PWTC's and Council's consideration at a future meeting.

**Crosswalk- Broadway / Central Avenue Intersection**

We are seeking authorization from Council to send a letter to the County Executive to review the possibility of placing a Central Avenue crosswalk at one of the intersections between Chestnut Street and Park Avenue.

Motion by Council Person Furgione Second Gribbin  
Approval to send letter to county for crosswalk above

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**Town Public works Schedule for April 2024**

The schedule for Trash, brush, leaf collection and recyclables, etc. for the month of April will be as follows:

Bulky waste, curbside pickup will be 4/1 through 4/5.  
Curbside brush pickup will be 4/8 through 4/12.

The County Recycling pickup will be 4/1 through 4/5, 4/15 through 4/19 and 4/29 through 5/3.  
For the Good Friday holiday, March 29<sup>th</sup>, trash will be picked up on that Friday.  
For Easter Monday holiday, April 1<sup>st</sup>, trash will be picked up on that Monday.

**Have a nice Easter Holiday**

### **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 25<sup>th</sup>.
- 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 13<sup>th</sup>.
- 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 Kenneth 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 Denise Mazzeo to Deputy Clerk effective April 1, 2024.

Motion by Council Person Gribbin Second Oliva  
Items 1 to 7 are approved

### **Roll Call:**

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

Mayor DiDonato declares motion is carried

**APPROVAL OF BILL LIST**

Motion by Council Person Gribbin Second Oliva

Approval of Bill list

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino -Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**NEW BUSINESS**

**Introduction of Capital Bond Ordinance #006-2024- 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.

Motion by Council Person S. Rodio Second R. Rodio  
Ordinance #006-2024 has passed first reading and is approved for publication

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**Introduction of Capital Bond Ordinance #007-2024 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.

Motion by Council Person S. Rodio Second Oliva  
Ordinance #007-2024 has passed first reading and is approved for publication

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**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 reappropriated from Bond Ordinance #4-2023)	\$250,000	15 years
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.

Motion by Council Person Furgione Second R. Rodio

Ordinance #008-2024 has passed first reading and is approved for publication

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino -Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**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

<u>Description</u>	<u>Total Appropriation</u>	<u>Debt Authorization</u>	<u>Useful Life</u>
(b) Extension of water and sewer along Old Forks Road.	\$400,000	\$400,000	20 years
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 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.

Motion by Council Person Furgione Second S. Rodio

Ordinance #009-2024 has passed first reading and is approved for publication

**Roll Call:**

Councilperson:

Furgione - Yes

Gribbin – Yes

Marino -Yes

Oliva- Yes

R. Rodio- Yes

S. Rodio – Yes

Mayor DiDonato - Yes

Mayor DiDonato declares motion is carried

**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. 3<sup>rd</sup> 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. 3<sup>rd</sup> 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 <sup>nd</sup> 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.

**Resolution #062 -2024- Extension of Time for NJ DOT Grant Old Forks Road (6 Months)**

**Requested time extension for NJDOT Grant-LA 2022 MA-00458, Hammonton Town, Old Forks Road Roadway Improvements 01  
Resolution Requestion a Six (6) Month Time Extension for Project Award for use of the NJDOT Fiscal Year (FY) 2022 Funds**

**Whereas**, the Mayor and Town Council of the Town of Hammonton desire to improve the roadway on Old Forks Road with the use of the NJDOT Municipal Aid project funds and

**Whereas**, the Town has received the following funding allotments from the NJDOT Municipal Aid program:

FY-2022, \$300,000.00 dated October 21, 2021, and

**Whereas**, the requirements for project award of the NJDOT Municipal Aid fund is two (2) years from the receipt of letter related to project funding allotment as listed within the NJDOT, PMRS date of 4/22/24, and

**Whereas**, the Town has endeavored to comply with the project deadline standards as established by the NJDOT, and

**Whereas**, certain circumstances have caused delays in the project survey and design work required for project completion which are listed as follows:

- Roadway width and turning radius improvements for school bus travel from Od Forks Road to the Road of Excellence. The plans had to be modified to address the safety concerns of the Hammonton School Board of Education.
- Meeting with GPI the consultant for the Town, regarding Safe Routes to Schools. They had to modified plans to include SRTS curb design and extra pavement width on revised plans to avoid roadway disturbance in the future to accommodate SRTS program.

**Furthermore**, The Town plans to bid and award the Old Forks Road roadway Improvement in spring of 2024, (LA 2022 MA-00458, Hammonton Town, Old Forks Road Roadway Improvements 01) and follow the NJDOT requirements for award of the FY-2022, \$300,000.00 funds.

However, to be safe we are requesting a six (6) month time extension on the award for the FY-2022 project funds until October 22, 2024.

**Now, therefore, be it resolved** by the Mayor and Council of the Town of Hammonton that the adoption of this resolution be approved and forwarded to the NJDOT, Local Aid District IV Office for review and approval consideration for the reasons as stated above.

Motion by Council Person Gribbin Second Oliva  
Resolutions #053 to #059 are approved, and #061 to 62-2024.

**Roll Call:**

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

Mayor DiDonato declares motion is carried

**PUBLIC HEARD**

**Joe Caruso 52 Main Road** – Question about the Mulch on Bellevue Ave, Is this a fire hazard?\_No the ordinance on the Towns books refers to Mulch that is located in developments.

**Councilperson Furgione** – Spoke about the trees on Bellevue Ave. Green Giant did a great job and those trees will be there for a long time to come.

**Councilperson Sam Rodio**- Spoke about how nice the benches look and the tree trimming that Hell fighter did. The Town looks great.

**Mayor DiDonato**- 46 Trees were replaced and Green Giant did a great job.

**Councilperson Gribbin** – Spoke about the NPP grants that the Town received. We will pursue them going forward. This helped pay for the trees and the benches.

**MEETING ADJOURNED**

Motion by Council Person Gribbin Second S. Rodio