

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
MAY 19, 2014

The regular meeting of the Township Committee of the Township of Hamilton, Atlantic County, New Jersey was held on the above date with Mayor Roger Silva presiding. Members present were Aline Dix, Amy Gatto, Rodney Guishard and Judy Link. Also present were Rita Martino, Deputy Township Clerk, Robert Sandman, Township Solicitor, Robert Smith, Township Engineer and Michael Jacobs, Township Administrator.

The meeting opened with the salute to the flag followed by the Deputy Township Clerk certifying compliance with the New Jersey Open Meetings Law by posting a notice on the bulletin board in the municipal building and by sending a copy of this notice, along with an agenda of this meeting to The Press of Atlantic City, Atlantic County Record, Record Journal and Current newspapers stating that this meeting would take place at 6:30 PM on May 19, 2014 at the Municipal Building, Mays Landing, NJ.

A moment of silence for private reflection was observed.

Presentation

American Legion Building

The Township Administrator gave a presentation on the status of the American Legion Building, stating that the building continues to deteriorate at a significant rate. Mr. Jacobs asked the Committee to consider the following, "Do we want to sell the building? Do we want to keep the building? Do we want to make repairs to the building?" Mr. Jacobs stated that an application would have to be filed with the State Historic Preservation Office (SHPO) for anything Committee decided to do. Mr. Jacobs recommended the building be designated an area in need of rehabilitation, which would enable the Township to solicit proposals where Committee could mandate a set time line and have the flexibility for negotiation. Mr. Jacobs said we could have everything approved through the Historic Preservation Commission (HPC) before it went out to bid. Mrs. Link stated she would want the project to conform to the standards of the HPC. Phil Sartorio explained the process and costs for declaring an area in need or redevelopment. Mayor Silva asked that Mr. Jacobs touch base with the HPC as a courtesy. Mr. Sandman stated that he is concerned about the zoning issue and this should be looked at more closely. Miss Gatto suggested we move forward with looking into the viability of a redevelopment study. Mayor Silva asked Mr. Jacobs to be prepared to revisit the issue at the 2nd meeting in June and to touch base with the other entities mentioned. Mrs. Link asked if the roof could be secured in the meantime, even if it meant using a private contractor. Mrs. Dix asked that a green tarp be used to be less offensive to the eye. Mayor Silva asked that the solicitor look into the matter as well.

Addition/Deletion of Late Agenda Items

Miss Gatto commented that items are being put on the agenda that are not emergent and that could have been placed on the regular agenda, making it difficult to come to the meeting prepared. Mayor Silva and Mrs. Link agreed that the late list should be used for emergencies and time sensitive items.

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the following items are hereby added to the agenda for consideration and action to be taken thereon tonight:

ADDITIONS

- 8a. Insert names of businesses:
1. Popsy Pop – mobile ice cream truck
 2. Retail Construction Services, Inc.-General Contractor- commercial
 3. This and That Everything Wholesale Outlet LLC- prepackaged Keurig items
- 10 C. Appointment to fill Veterans Advisory Board vacancy, filling the unexpired term of Russell Bongiovanni, Sr., term expires 12/31/14
- 10 D. Approve Robert Montalvo as a Full Time Temporary Laborer at \$15.00 per hour effective, June 2, 2014, not to exceed 11 months in duration

DELETIONS

9a (1) May 5, 2014 regular meeting minutes

Early Public Comment

Bruce Strigh stated that the Veterans Advisory Board appointment was not time sensitive and did not need to be listed as a late agenda item. Mr. Strigh pointed out that the American Legion had asked to have the building signed over to them with plans to fix it and maintain it but then gave it back to the Township in disrepair. Mr. Strigh stated that he wanted to point out that the building was not in the Township's possession the entire time.

Joan Anderson spoke in opposition to the employees being required to use direct deposit for their paychecks.

James Kerrigan spoke in support of Assembly Bill A-1021. Mr. Kerrigan also stated that he would like to see the American Legion Building saved.

Chris Ayler asked if an increase in the Police Captain and Police Chief's salaries are being considered to please keep the taxpayers in mind because people are losing their jobs and taxes are going up.

Discussions:

Amendment to Chapter 186 of the Township Code – Handicapped Parking

On the motion of Mrs. Dix, second of Miss Gatto to authorize the Solicitor to prepare an ordinance for introduction at the June 2, 2014 meeting.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Delilah Oaks Construction Company request for the Township to accept ownership of BL. 1132.01 Lot 50

Mrs. Dix asked that this item be tabled and read from the following prepared statement: This offer was received 3 months ago. Adequate time has passed that the Planning-Zoning officer and the Smart Growth committee could have reviewed and researched the offer. The subject lot is marked "passive natural recreation." The lot is almost 25 acres and is assessed for \$24,700. It is shown on filed map #0003657 in the Atlantic County Clerk's Office recorded November 20, 1998. The question is "did the Stone-Crest subdivision approval include this lot as its open space? In the instant case, the development has 3 lots in the ownership of the home owners association. Each of the 3 are listed in the tax assessor's website as 2 basins and 1 tot lot/rec area. None of the 3 shows a tax assessment. Is Lot 50 actually part of the Decision and Resolution

approved for the Stone Crest project and holds the tax assessment for all 3 lots? If the Township were to accept ownership of this tract, why should the taxpayers bear the cost of Phase 1 environmental studies and outbound survey costs? Estimate \$11,500. The real issue tonight is: should developers be able to obtain Planning Board approvals for large subdivisions then “eliminate” the open space component from their project? Will this decision open the door for every subdivision to eliminate their open space component? Mrs. Dix asked again to have this tabled and sent to Smart Growth for review.

Mayor Silva asked Mr. Sandman to look at this in a speedy fashion and get back to Committee so that it didn't have to go to a committee group. Mr. Jacobs said that he is recommending we take ownership because the owner has stated he is going to stop paying taxes and we are going to end up with it anyway, but we will have to pay all of the fees and liens involved in foreclosing. Mr. Jacobs stated that he thought it would be beneficial to do the Phase 1 so we don't have to spend money cleaning it up or at least we would have that knowledge. There was a discussion of the costs of foreclosure, but the Solicitor stated that his concern was environmental, stating we don't want to take land if we don't know what we are getting and that at a minimum a Phase 1 needed to be done. Mrs. Dix pointed out and Mr. Sandman agreed that we don't have to take it to “in reim” because the taxes are not paid. Mrs. Dix said there is no benefit to taking this piece of property. Mayor Silva suggested that there may be a benefit and asked if we could change the use from passive recreation if we accept it back. Mayor Silva suggested it may have potential use from a public safety point of view. Mr. Sandman said that he thinks the answer is yes but from a procedural point of view he does not know. Mr. Sandman said he is suspicious that a private owner says it has no value to him.

Mrs. Dix moved, seconded by Mr. Guishard that the discussion be tabled and sent to the attorney for review.

MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”

Mr. Sandman agreed to report back at the next meeting.

Orange X Painted on Houses

Mrs. Dix stated that this discussion is happening because of a citizen complaint on April 28 involving three properties in Harding Lakes.

Phil Sartorio explained that Section 108 of the Property Maintenance Code governs unsafe structures and equipment. Mr. Sartorio said that the state of damage and neglect of several homes required an identification and warning for 1st responders. Mr. Sartorio said that the code requires these homes be secured and marked with a placard to make everyone aware of the condition of the property. Mr. Sartorio stated that this information will also be given to dispatch so that the information is coded into their GIS and will be relayed to the first responders when a tone goes out for the location. Mr. Sartorio said that the symbol being used is from the Uniform Fire Code instead of the one our ordinance calls for. Mrs. Dix questioned the use of orange paint on the vinyl siding and wondered how anyone would be able to remove it. Mrs. Dix said a spreadsheet could easily be done from the foreclosure notices and that we need to find a better way to do this. Miss Gatto asked if having the information in the dispatch data base was enough or if the law required a physical marking on the building. Mr. Sartorio responded that our ordinance calls for a placard and that the orange paint was used for economy. Mr. Jacobs pointed out that a placard is a standard marker on an abandoned building, especially a dangerous one to let the general public know it is not safe to go in. Mr. Jacobs said that if you don't mark the building and someone goes in there it could create a problem. Mr. Jacobs suggested that Committee may want to put a more discreet placard on glass and still put the information in the dispatch system to resolve both issues. Mr. Sandman said that the advice given by the Administrator was excellent and that by changing the ordinance to require a less intrusive sticker on glass and by putting the information in the data base

you would accomplish two things: you don't invite vagrants in and you let 1st responders and the general public know that entering this building is dangerous thereby absolving yourself of almost all liability except something that would be inherently dangerous to anybody, even with warning.

On the motion of Miss Gatto, seconded by Mr. Guishard to authorize the preparation of an ordinance to reflect that the process is now to be a placard on the window and that we enter the information into the dispatch data base.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Amendment to Employee Handbook

Mr. Jacobs recommended that the following amendments to the employee handbook be considered before the handbook was printed.

1. Direct Deposit
2. Communication Media Policy
3. Refueling Policy
4. Emergency Response Leave

Mrs. Dix objected to the requirement that the employees use direct deposit stating that there would be lost production time when the employees print out their pay stubs. Mr. Jacobs pointed out that the employee can chose to have a paper stub or an emailed stub. Mr. Jacobs said this was a way to save the taxpayers \$2,500.00 but it was entirely up to the Committee. There was a discussion of the option of providing employees with a debit card. Cynthia Lindsay said the state already issues a debit card for payroll, unemployment, etc. Joan Anderson said she thinks that it is unfair to the lower paid people, just because some idiot in Trenton says you can do this that you do this to the employees, it is not fair and it is not right. Mrs. Dix said that debit cards eliminate jobs and this will eliminate more jobs. Ms. Lindsay said that the purpose of doing this was to create efficiency and cost savings. Ms. Lindsay noted that the Township is charged a fee for each employee to cash or deposit a paper check. Mrs. Dix said that in the old days we used to give everybody envelopes full of cash and we can go back to that.

On the motion of Miss Gatto, seconded by Mrs. Dix the discussion of the direct deposit was tabled until another time.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN"

Miss Gatto moved, seconded by Mrs. Dix that the following resolution be adopted:

RESOLUTION
AMENDING THE TOWNSHIP'S EMPLOYEE HANDBOOK

WHEREAS, the Township Committee of the Township of Hamilton, County of Atlantic recently approved a 2014 Employee Handbook update; and

WHEREAS, there are several changes in addition to the approved update which, if approved, may be included in the printing of the new Employee Handbook.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hamilton, County of Atlantic, to approve the following changes to the 2014 Employee Handbook:

1. COMMUNICATION MEDIA POLICY- This change incorporates provisions recommended by the Township Solicitor into the Township's new Communications Media Policy

2. REFUELING POLICY- This is inserting the already adopted refueling policy into the Policy and Procedures Manual.

3. EMERGENCY RESPONSE LEAVE- This policy is modeled after the state law for volunteer fire and rescue responders who respond to fires during their work day and has been approved by the ESAB.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING"AYE", NO "NAY", NO "ABSTAIN"

Police Chief and Police Captain Salaries

Mr. Jacobs said this ordinance sets up a job title change from Police Captain to Deputy Chief of Police and increased salary for the Deputy Chief and the Chief of Police. Mr. Jacobs added that this puts all of the emergency services under one department and adds responsibilities to the Police Chief position.

Mrs. Dix said that she had a point of order and that this item was not properly listed on the agenda because it was not listed as an ordinance introduction only a discussion of police chief and captain salaries. Mrs. Dix said that was why she had asked if Rice notices had been issued. Mr. Sandman disagreed stating that someone looking at the agenda would understand that some action may be taken regarding salaries of two positions. Mr. Sandman said that if an ordinance was introduced tonight for a public hearing at the next meeting that would provide sufficient notice to the public.

Miss Gatto stated that from a "Safety" point of view, administrative duties under emergency services take up time and they thought putting that responsibility under the Chief of Police made sense from a general oversight and management perspective. Miss Gatto said that changing the Captain to the Deputy Chief would enable him to do certain statutory duties in the absence of the Chief. Miss Gatto added that the Personnel Committee discussed this as well. Mayor Silva commented that the role of emergency management has been expanded. Mr. Guishard stated that the salaries of corresponding positions in other townships had been considered and this fell into a reasonable zone.

Mr. Sandman got back to Mrs. Dix's question about a Rice notice saying that it would not be relevant in this case because Rice deals with employees being discussed in closed session. Mrs. Dix said she intends to ask this question at the beginning of every meeting. Mrs. Dix said that her attorney, Eileen Muskett asked Mr. Birchmeier how we sitting up here are supposed to know who has a Rice notice if we are never told. Mrs. Dix said if anybody is going to get accused of violating a Rice notice, you can accuse all you want but if we have no knowledge that there were Rice notices out there how are we supposed to know. Mrs. Dix said the only way she is going to know and she had called Mr. Sandman in October about her concern whether Rice notices were being handled properly. Mrs. Dix stated that she had sited a notice from another town and Charles Cain thought Rice notices were handed out by Committee so there were three different forums where Rice notices seem to be coming out of and the knowledge is the power. Mrs. Dix said that we can all violate things if we are not made aware and there has never been a notice to her in 29 months of sitting up here, there has never been a memo to say A, B, C, D job titles have had Rice notices issued. Mrs. Dix said it was just a formality to protect herself. Mayor Silva suggested that Mrs. Dix bring her questions to Phil Sartorio prior to the meetings and he would answer them prior to the meeting to eliminate this type of dialog before the public.

Mrs. Dix stated that she opposed it when the Captain and OEM coordinator titles were added together. Mrs. Dix said that the Mayor appoints the OEM coordinator to a three year term and if there is a change in OEM we will have to amend the ordinance again, which is a waste of money. Mr. Jacobs said that was incorrect, the job title is Deputy Chief of Police as listed in section two, not the "whereas" clause that reflects what the position is currently. Mrs. Dix stated that this would be a \$9,200.00 raise. Miss Gatto

said that from a financial standpoint we would still be below salary and wage budgeted items. Mr. Jacobs said that recent retirements are going to provide breakage in the police salary line and this would be paid out of that.

Miss Gatto moved, seconded by Mr. Guishard that the following ordinance be introduced with a public hearing to be held June 2, 2014.

**TOWNSHIP OF HAMILTON
ORDINANCE NO.: 1770-2014**

**AN ORDINANCE AMENDING EXHIBIT A,
SECTION 1 ARTICLE II OF CHAPTER 66 OF THE
CODE OF THE TOWNSHIP OF HAMILTON,
PROVIDING FOR THE MAXIMUM NUMBER OF
EMPLOYEES**

WHEREAS, the duties of Captain and OEM Coordinator have been expanded;
and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township to create the position of Deputy Chief of Police/OEM COORDINATOR and that upon promotion delete the position of Captain of Police; and

WHEREAS, the Township Committee has determined that the general oversight of all emergency services would be best assigned to one department for better coordination; and

WHEREAS, the Township Committee has determined Chief of Police’s job description should be amended to include general oversight of all emergency services; and

WHEREAS, these changes will increase the personnel cost of this department;

WHEREAS, the salary increases will become effective May 1, 2014.

NOW THEREFORE BE IT HEREBY ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic, State of New Jersey, that Article II of Chapter 66 of the Township Code, titled Personnel, shall be amended as follows:

SECTION 1. Create Position

Amend Exhibit “A” Section #1, entitled FULL-TIME DEPUTIES AND DIVISION CHIEFS, by adding the following position:

Deputy Chief of Police Maximum Salary\$135,000.00
Deputy Chief of Police Starting Salary.....\$127,000.00

SECTION 2. Amend “CHART OF ORGANIZATION” by adding the following full-time position:

“Deputy Chief of Police” in the Police Department.

SECTION 3. Amend Exhibit “A” Section #1 entitled FULL-TIME DEPUTIES AND DIVISION CHIEFS by deleting the following full-time position:

“Captain of Police” in the Police Department.

SECTION 4. Amend Exhibit “A” Section #1 entitled FULL-TIME DEPARTMENT HEADS by deleting the salary maximum of \$130,000 and replacing it with \$140,000:

SECTION 5. Change the Salary of the Chief of Police to \$131,000 in recognition of the additional responsibilities that are being added to his job description as outlined in this ordinance.

SECTION 6. Amend Stacy Tappeiner’s and Michael Petuskey’s employment agreements to be consistent with this ordinance, and authorize the Mayor to sign same.

Severability and Effectiveness Clause.

- (a) If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.
- (b) Any Ordinance inconsistent with the terms of this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. Effective Date.

This Ordinance shall take effect immediately upon final passage and publication as provided by in law.

ATTEST:

Joan I. Anderson, R.M.C.
Township Clerk

**TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC and
STATE OF NEW JERSEY**

Roger J. Silva, Mayor

ROLL CALL:	DIX	NO
	GATTO	YES
	GUISHARD	YES
	LINK	YES
	SILVA	YES

**ORDINANCE #1770 - 2014 INTRODUCED AND PASSED FIRST READING MAY 19, 2014.
ORDINANCE #1770 - 2014 ADOPTED , 2014.**

Proposed Resolution of Support for A-1021 Requiring Certain Energy Tax Receipts to be paid directly to Municipalities

Mr. Guishard gave the background on this resolution of support stating that this bill would require energy receipts go directly to municipalities with an adjustment for inflation and restore 331 million dollars in reductions that occurred in fiscal years 2009, 2010 and 2011.

Mr. Guishard moved, seconded by Mrs. Dix that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton, County of Atlantic, to support passage of Assembly Bill No. 1021 (A-1021).

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Public Hearing/Adoption of Ordinances
Ordinance # 1769-2014

James Kerrigan asked where Tryens Drive was located.

Hearing nothing further from the public, Miss Gatto moved, seconded by Mrs. Link that the public hearing be closed.

MOTION CARRIED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”

Miss Gatto moved, seconded by Mr. Guishard that the following resolution be adopted.

WHEREAS, Ordinance #1769-2014 was introduced and passed first reading on May 5, 2014 and was duly advertised in the May 7, 2014 edition of the Atlantic County Record for a public hearing to be held in the Municipal Building at 6:30 PM on May 19, 2014; and

WHEREAS, the public hearing has been held as advertised and closed,

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1769-2014 be and is hereby adopted.

**TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NEW JERSEY**

**TOWNSHIP OF HAMILTON
ORDINANCE # 1769-2014**

**AN ORDINANCE AMENDING CHAPTER 301, ARTICLE I OF THE TOWNSHIP CODE
TO CREATE A NO PARKING ZONE ON PORTIONS OF TRYENS DRIVE IN THE
TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC AND STATE OF NEW
JERSEY WITHIN THE DEVELOPMENT KNOWN AS VICTORIA CROSSING.**

WHEREAS, the Township Committee of the Township of Hamilton deems it to be in the best interest of public safety to establish a NO PARKING ZONE on portions of Tryens Drive within the development known as Victoria Crossing in order to ensure and improve both motorist and pedestrian safety and facilitate emergency responses; and

WHEREAS, The Hamilton Township Police Department Traffic Safety Unit has reviewed the area and made certain recommendations,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey that Chapter 301 of the Code of the Township of Hamilton shall be amended to read as follows as recommended by the Township of Hamilton Police Department:

SECTION 1. The Code of the Township of Hamilton, Chapter 301, Article 1, shall be and is hereby amended to include the following;

- (26) No parking shall be permitted on the two interior curved areas of Tryens Drive from the apex of the curve for 60 feet in either direction. There shall also be no parking allowed on either side of Tryens Drive for 25 feet from each intersection with Victoria Drive.

May 19, 2014

SECTION II. The Township Clerk shall immediately after passage and publication of this Ordinance, make and file in the Office of the County Clerk for the County of Atlantic, a copy of this Ordinance, together with proof of publication hereof, duly certified by her, under the corporate seal of the Township of Hamilton, for record, as required by law.

SECTION III. SEVERABILITY If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, erroneous and/or incorrect, such decision shall not affect or invalidate the validity of the remaining portions of this ordinance.

SECTION IV. REPEALER. All ordinances and parts of the Township of Hamilton heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION V . PENALTIES AND VIOLATIONS Any individual, partnership or corporation violating any provision of this Ordinance, upon conviction thereof before the proper officer having jurisdiction, shall be subject to a fine not to exceed fifty (\$50.00) dollars or imprisonment for a term not exceeding fifteen (15) days or both, in the discretion of the Court hearing the same.

SECTION VI. WHEN EFFECTIVE This Ordinance shall take effect immediately upon its final passage and publication as provided by law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC and
STATE OF NEW JERSEY

JOAN I. ANDERSON, RMC
TOWNSHIP CLERK

ROGER SILVA, MAYOR

ROLL CALL: DIX "YES"
GATTO "YES"
GUISHARD "YES"
LINK "YES"
SILVA "YES"

ORDINANCE #1769-2014 INTRODUCED & PASSED FIRST READING ON MAY 5, 2014.
ORDINANCE #1769-2014 ADOPTED ON MAY 19, 2014.

Award of Contracts:

Miss Gatto moved, seconded by Mr. Guishard, that the following resolution be adopted.

RESOLUTION AWARDING CONTRACT

WHEREAS on May 8, 2014 the Township of Hamilton received sealed bid proposals for 2014 Road Program (Bid #2014-04); and

WHEREAS the following bids were received:

<u>Name</u>	<u>Bid Amount</u>
Arawak Paving Co., Inc.	\$524,600.00
South State Inc.	\$596,667.50

and

WHEREAS, the Qualified Purchasing Agent, Township Engineer, and Public Works Department have reviewed aforesaid bids and determined that Arawak Paving Co of Hammonton, NJ, is the lowest responsible bidder and recommended in writing that the contract for 2014 Road Program be awarded to them in accordance with the terms and conditions outlined in the bid specifications,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, that:

- (1) The foregoing facts are hereby ratified and affirmed.
- (2) Funding shall be from various Capital Improvement Bonds:
1631-2008 \$180,173.64, 1693-2011 \$47,577.59 and #1713-2012 \$296,848.78.
- (3) The bid of Arawak Paving Co., Inc. is hereby accepted and the contract for 2014 Road Program is awarded to them for bid # 2014-04(\$524,600.00)
- (4) The Mayor and Township Clerk be and are hereby authorized to execute the aforesaid contract with Arawak Paving Co.

ROLL CALL: DIX YES
GATTO YES
GUISHARD YES
LINK YES
SILVA YES

Miss Gatto moved, seconded by Mr. Guishard, that the following resolution be adopted.

RESOLUTION AWARDING CONTRACT

WHEREAS on May 8, 2014 the Township of Hamilton received sealed bid proposals for Liepe Tract Drainage Basin Remediation (Bid #2014-06); and

WHEREAS the following bids were received:

<u>Name</u>	<u>Bid Amount</u>
Command Co., Inc	\$280,900.00
Earthworks, Inc.	\$313,000.00
Perna Construction, LLC.	\$344,500.00

and

WHEREAS, the Qualified Purchasing Agent, Township Engineer, and Public Works Department have reviewed aforesaid bids and determined that Command Co. of Egg Harbor City, NJ , is the lowest responsible bidder and recommended in writing that the contract for Liepe Tract Drainage Basin Remediation be awarded to them in accordance with the terms and conditions outlined in the bid specifications,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hamilton, Atlantic County, New Jersey, that:

- (1) The foregoing facts are hereby ratified and affirmed.

- (2) Funding shall be from various Capital Improvement Bonds:
1748-2013 58,055.91 and 1766-2014 \$222,844.09
- (3) The bid of Command Co. is hereby accepted and the contract for Liepe Tract Drainage Basin Remediation is awarded to them for bid 2014-06(\$280,900.00)
- (4) The Mayor and Township Clerk be and are hereby authorized to execute the aforesaid contract with Arawak Paving Co.

ROLL CALL: DIX YES
GATTO YES
GUISHARD YES
LINK YES
SILVA YES

Consent Agenda

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the following businesses are hereby approved:

1. Popsy Pop – mobile ice cream truck
2. Retail Construction Services, Inc.-General Contractor- commercial
3. This and That Everything Wholesale Outlet LLC- prepackaged Keurig items

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize the intermittent closure of the following township roads on June 29, 2014 for the Challenge Atlantic City Triathlon

- (1) Drosera Ave. between 7am-4pm
- (2) Blueberry Rd. (2nd Avenue) between 8am-11:15 am

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, that the Township Committee of the Township of Hamilton has no objection to the intermittent closure of the following county roads on June 29, 2014 for the challenge Atlantic City Triathlon:

- (1) Tilton Road between 7am-4pm
- (2) Weymouth Road between 8am-11:45am

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Miss Gatto, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, that the Township Committee of the Township of Hamilton has no objection to the intermittent closure of the Atlantic City Expressway between 7:30 am – 11:45 am on June 29, 2014 for the Challenge Atlantic City Triathlon

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

3. Costs shall be in addition to any penalties imposed for any violations of this Chapter.
4. A copy of this resolution shall be certified by the Township Clerk and filed with the Tax Collector.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to amend the contract with The Design Collaborative for Public Works Special Project. Contract to be increased from \$4,200.00 to \$5,200.00

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to approve the request of the Township Administrator, Michael Jacobs to provide him with legal representation regarding a lawsuit filed against him- not to exceed \$135.00 per hour.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the minutes of the March 13, 2014 executive session are hereby approved as published.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mrs. Dix that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the minutes of the May 2, 2013 special meeting public session are hereby approved as published.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mrs. Dix that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that the minutes of the May 12, 2014 special meeting public session are hereby approved as published.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Miss Gatto moved, seconded by Mrs. Link that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton that all properly executed and approved payrolls and bills be paid, the bill list total being \$899,236.29.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Miss Gatto moved, seconded by Mrs. Dix that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize advertisement for a PT Clerk in Community Development (Housing)

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mrs. Dix said that she had discussed with Rodney Guishard at the Quality of Life Committee the adoption of standards and operating procedures for the swimming beach similar to those used by Egg Harbor City. Mrs. Dix stated that she had suggested that we come up with similar regulations for our swimming beach and said she would like to see something adopted at the next meeting. Miss Gatto stated that the motion was for the hiring of cove staff.

Miss Gatto moved, seconded by Mayor Silva that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to authorize the hiring of the 2014 Cove Staff as follows:

- (1) Donna Giardina, Beach Badge Checker at \$8.25 p/hour
- (2) Shannon Suckiel, Beach Badge Checker @ \$8.25 p/hour
- (3) Alexander Hand, Lifeguard @ \$9.50 p/hour
- (4) Alexander Hand, Alternate Day Manager @ \$13.00 p/hour
- (5) Karly LoSasso, Lifeguard @ \$9.50 p/hour
- (6) Kayleigh Stark, Lifeguard @ \$9.00 p/hour
- (7) Kelly Suckiel, Day Manager @ \$13.50 p/hour

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Mayor Silva asked that Mr. Jacobs look into the procedures.

Mr. Guishard moved, seconded by Mrs. Link that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Robert Campbell, Sr. to the Veterans Advisory Board to fill the unexpired term of Russell Bongiovanni, Sr., term to expire December 31, 2014.

ROLL CALL:

DIX	NO
GATTO	ABSTAIN
GUISHARD	YES
LINK	YES
SILVA	YES

Mrs. Dix explained that she voted no because this did not have to be a late agenda item and added that if it had been a regular agenda item she would have had time to look at the other candidates on the list and had some input into the choice. Mr. Guishard and Mayor Silva commented that they weren't aware of any other candidates except for one that came in today.

Miss Gatto explained that she abstained for the same reasons given by Mrs. Dix.

Miss Gatto moved, seconded by Mr. Guishard that the following resolution be adopted:

BE IT RESOLVED, by the Township Committee of the Township of Hamilton to appoint Robert Montalvo as a Full Time Temporary Laborer at \$15.00 per hour effective, June 2, 2014, not to exceed 11 months in duration.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Reports

Administrator – no report

Solicitor- Mr. Sandman announced that Allison Nickels will be joining his firm as a law clerk.

Engineer- no report

Township Committee

Mrs. Dix explained that she was not allowed to attend the ESAB meeting because it was not opened to the public and that two committee members were already in attendance. Mrs. Dix asked if this would have been a violation of the sunshine law. Miss Gatto corrected that Mrs. Dix was told it was not an advertised meeting because it was an advisory board. Mr. Sandman said it is always bad form to have a quorum present at any meeting with the exception of a political caucus or a public meeting where the three members would not be conducting the business of the township. Mr. Sandman said that Mrs. Dix gave him an email but he was not prepared to give an opinion on this. Mr. Sandman further stated that if he were there he would have suggested that one committee member separate. Mrs. Dix said it only happened one time because she wanted to hear a report and that it won't happen again. Mrs. Dix asked Mr. Sandman if policy can be adopted that overrides an ordinance. Mrs. Dix explained that a new policy regarding vacation allotment was adopted April 7, doing away with what was adopted by ordinance. Mrs. Dix said we are going to have to have a legal opinion on this because it affects the policy manual. Mr. Sandman said it would be impossible for him to give an opinion tonight but there were allowances made in the law for administrative adjustments.

Mr. Sandman said this question can't be answered in a vacuum. Mrs. Dix asked what is so hard to look at an ordinance from 2008 and a policy and tell her what the law is. Mr. Sandman said the proper way to do that is in advance of the meeting to be fair to him because it makes him look foolish. Mrs. Dix said she knew he was out of town and that is why she didn't contact him. Mr. Sandman said if he knew in advance he could come before Committee with an answer. Mr. Sandman said the process we have in place for Mrs. Dix is to forward her questions to Phil Sartorio who then takes them to Mike Jacobs this would have gotten an answer for her in under a minute, because Mr. Jacobs just told him that the 2008 ordinance had been rescinded and replaced with the policy and the Committee voted on it. Miss Gatto stated as a point of order that the Solicitor is only authorized to do work that will cost the taxpayer's money when the Committee makes a motion on it or it is of an urgent nature and the Administrator needs to reach out. Mayor Silva said that question could have been asked of Phil and it is unfortunate the way things are going. Mrs. Dix asked the ordinance number and was told by the solicitor to direct her question to Phil Sartorio.

Mr. Guishard stated that he attended the Stockton Center on Successful Aging. Mr. Guishard said that he attended a successful meeting with the Administrator and several of the recreation heads to discuss the status of the programs and what the plans were. Mr. Guishard stated that a Green Team is being established through Sustain New Jersey and meeting on the 29th at 5:30 if anyone is interested.

May 19, 2014

Mrs. Link said that Young's Figure Skating Team captured 4 titles at states and will go on to regionals. Mrs. Link congratulated the PAL Dance on a successful recital.

Miss Gatto gave an update on the ESAB meeting stating that there was no "post fire report", the president of the residents association and another gentleman from the Fairways attended and had a couple of process issues regarding response, with one main question regarding mutual aid. Miss Gatto stated the mutual aid plan was explained and that the residents had more questions about ambulance services than fire. Miss Gatto said no questions were asked regarding water however Mr. Blankenship was there and confirmed that all of the township processes were followed and that water levels were where they needed to be. Mayor Silva said that he and Miss Gatto will be attending one of their meetings in July along with the Fire Chief and the Rescue Chief. Miss Gatto congratulated Lt. Hooker on his retirement. Miss Gatto announced that the Cologne BBQ will be on June 7, beginning at noon.

Mayor Silva announced that his son participated in the Unity Tour to Washington, DC. Mayor Silva said he had hoped to have the Wheaton's people at this meeting but they should be here for a presentation in June.

Public Comment

Roger (no last name given) asked why Wheaton's couldn't at least put grass where they tore down the building. Mr. Sartorio explained that they have to leave the foundations so they can come back and rebuild.

Ms. Chris Ayer asked about our property maintenance code and enforcement. Mr. Sartorio explained the code and the enforcement. Mayor Silva explained that liens can be brought against the property owners and that two were on the agenda tonight. Ms. Ayer said something more needs to be done.

James Kerrigan said that direct deposit is mandatory and is a good thing.

Hearing nothing further from the public, Miss Gatto moved, seconded by Mr. Guishard to close the public portion.

MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

On the motion of Miss Gatto, seconded by Mayor Silva and carried the meeting was adjourned at 9:11PM.

Respectfully submitted,

Rita Martino, RMC
Deputy Township Clerk

