

TOWNSHIP OF HAMILTON
6101 THIRTEENTH STREET
MAYS LANDING, NJ
FEBRUARY 6, 2012

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 Charles Cain Jr., Aline Dix, Amy Gatto and Dr. Harvey Kesselman. Also present were Michael S. Jacobs, Township Administrator, Joan I. Anderson, Township Clerk, Robert S. Sandman, Township Solicitor and Robert J. Smith III, Township Engineer.

The meeting opened with the flag salute followed by the Township Clerk certifying compliance with the New Jersey Open Public Meetings Law by posting a notice on the bulletin board in the municipal building and by e-mailing a copy of said notice along with the agenda for this meeting to the Atlantic City Press (Press of Atlantic City), Atlantic County Record, Record Journal and Current newspapers stating this meeting would take place at 6:30 PM on Monday, February 6, 2012 in the municipal building, Mays Landing, New Jersey.

A moment of silence for private reflection was observed.

There was no executive session and no Executive Session confirmations to be made.

Ms. 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 following items be added to the agenda of this meeting for consideration and action to be taken thereon tonight:

- 8.A Insert name of business: Buck Tail Outfitters, LLC- a sporting goods store on Harding Highway.
- 8.B(1) Accept Reliance Hose Co. No. 1/Mays Landing Volunteer Fire Department certified list of 23 members eligible for 2011 LOSAP credit.
- 8.J Accept Travelers Casualty & Surety Co. of America \$144,m094.50 bond #105713889 as performance guarantee for Capital Telcom/Vienna Avenue cell tower site work - Block 1093/Lot 12

BE IT FURTHER RESOLVED that approval of the January 17, 2012 Executive Session minutes be deleted from the agenda.

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

Early public comment on agenda items not listed for public hearing:

Rodney Guishard said he thinks moving the school board election to November unavoidably impacts how the election is conducted, who runs for the elections, etc., due to its proximity to the partisan General Election; that he likes having school board members who are interested in educating the kids, seeing the laws of the State upheld, and that it is done in a manner consistent with the laws of the community at a reasonable cost and effectively; he thinks moving it to November possibly brings people more interested in visibility, moving ahead, seeking support of political officials, and it can contaminate the process. Mr. Guishard commented on the public not voting on the budget unless the School Board goes above the 2% cap and said they should have the opportunity to vote on it. He suggested the Committee not pass the resolution and let the school board do it if any change is made. Mr. Guishard said he didn't think the few dollars saved was worth the cost to the integrity of the school board election process. Dr. Kesselman asked Mr. Guishard why he thought the school board should determine it. Mr. Guishard said the way the law is written the date can be changed by either the Township or the school board and he would like to see it not changed but if it has to be changed he would like a non-political group make the recommendation. Dr. Kesselman Mr. Guishard if he could tell him the percentage of voters that vote in

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the current school board elections. Mr. Guishard said it is small but all voters have the opportunity to vote; he estimated it to be 10%. Mayor Silva asked Mr. Guishard if he thought it would be better to have the public do it as a referendum or question on the ballot. Mr. Guishard said yes. The Mayor asked Mr. Guishard if he thought the school board wasn't political. Mr. Guishard said it isn't supposed to be. Mrs. Anderson explained the Township has over 14,000 voters and maybe 1,000 come out to vote in a school election. Ms. Gatto explained that according to the law, if it is moved to November, there will be a special spot on the ballot for the school board candidates that is not aligned with political parties. Dr. Kesselman thanked Mrs. Anderson for the information and said about 1,000 voters determine close to 65% of the municipality's property tax.

John J. Percy III asked for an explanation of the agenda item listed as Gross Density requirements in the GAL Zone. Mr. Cain said that as a sitting member of the Planning Board, Mr. Percy knew that it was on for discussion to see if the Committee would uphold the Planning Board's wish and close the loop hole that allows smaller than 1 acre lots in that zone. Mr. Percy said the problem at the Planning Board was the lot size requirement of 1 acre; there was no problem with the gross density on that entire project but when they calculated the lot sizes, they calculated at less than 1 acre. Mr. Cain said their argument was that they could go less than 1 acre because they were still within the gross density limit that would allow 36 1-acre lots. Mr. Percy said there was nothing in table 7.1 that indicated the minimum lot size in the GAL Zone had to be 1 acre and their engineer saw the loop hole and won. He suggested the solution was to remove the words "in the Pinelands Area" from footnote #3.

ACUA proposal for yard waste collection & recycling changes:

Mr. Jacobs explained the ACUA won't pass on the contracted CPI rate increase if the Township makes a couple of changes to leaf collection schedule and how they are bagged: (1) leaves have to be in the biodegradable Kraft type bags or a container that could be dumped; leaves could no longer be put in a plastic bag (2) the recycling schedule would be changed to be on the same day as the solid waste collection and would still be every other week (3) yard waste collection would be moved from Friday to Saturday. Mr. Jacobs explained the current Ordinance allows leaves to be raked to the curb but the Township stopped curb side leaf collection and the recommendation is to fix that while doing the Ordinance for the ACUA's proposed changes; it will save about \$3,000.00. Mayor Silva said that once the Ordinance is prepared he wanted as much information on the changes as possible gotten out. Mr. Cain said he thought the onus should be on the ACUA to notify the residents. Mr. Jacobs said ACUA does a calendar and the Township will put it on TV and on its website. Mrs. Dix commented on the ACUA calendars showing recycling every other Wednesday and said she didn't see them doing 5 different calendars for 5 different recycling days in the Township. Ms. Gatto asked Ingrid Perez if there were any ideas on what did and didn't work when the trash collection changes were made. Mrs. Perez explained the Township would augment anything the ACUA does and said that any changes probably will not happen until the beginning of April. Ms. Gatto asked if they mentioned anything about automated recycling pick-ups. Mr. Jacobs said they hadn't. Dr. Kesselman asked for clarification on the bags for leaves. Mr. Jacobs explained they can no longer be put out in plastic bags; they have to be in a container or recyclable bags. Ms. Gatto said that is the most important thing to get out to the residents and it is absolutely up to the County to do that because this is coming from them, not the Township.

Dr. Kesselman moved, seconded by Ms. Gatto, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the ACUA proposal for changes in the yard waste collection agreement for the period March 1, 2012 through February 28, 2013 at a fixed cost of \$108,834.00 (no increase over 2011-2012 costs) be approved; and

BE IT FURTHER RESOLVED that preparation of the required ordinance is hereby authorized.

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

Mrs. Dix moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the ACUA proposal to change the recycling collection schedule to the same as the municipal residential collection schedule be and is hereby approved.

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

Moving School Board Elections to November per P.L. 2012,c.202:

Dr. Kesselman said he would like to know more about the School Boards' positions on this and, hopefully, if the Committee decides that Hamilton's election will be in November, Egg Harbor Regional School will do the same. He said he thought making that decision now might be premature because he isn't sure the Committee has feedback from the School Boards. Mayor Silva asked if it would cover the Regional Board also if the Local Board made the decision to move it to the General Election. Mr. Sandman said it wouldn't. He explained February 17th is the deadline for the Committee to do this and they won't have another meeting before that. He explained it would be binding on the local board if the Committee approved it for the Local Board; if the Local Board approved it, it would be binding; and either body can do it. He explained it would be binding if the Regional Board voted to move it, and both elections would go to November; if the Regional board voted "no", the only way it would go to November would be if all the sending districts voted "yes" for moving their elementary school board elections; if the governing bodies of all four sending districts vote to move their elementary school elections to November, it would require the Regional to go to November. Dr. Kesselman asked if the terms of the 3 current Township School Board Members that are technically up for re-election would be extended if the Committee moves the election to November. Mr. Sandman said term is statutorily extended until January. Dr. Kesselman asked if the Committee could revisit this next year if they decided not to do anything now because of the relatively short time constraints. Mr. Sandman said they can and if either the Committee or the School Board votes to change it to a November election, it cannot be changed back for a period of 4 years. Mr. Silva referred to extending the members' terms 9 months and asked if it wouldn't be better if it was a public question in order to keep it non-partisan. Mrs. Dix said the Committee would have to file for a referendum by August if they want it on the ballot in November. Dr. Kesselman said both the budget and candidates are voted on in April elections and the budget will only be voted on in any election if it went over the 2% CAP. He said he was personally leaning towards moving it to November long term because he can't stand the fact that only 10% of the voters vote in April and something is inherently wrong with the process when only 10% of the people participate. Dr. Kesselman said he thinks most people are focused on voting in November and there is some legitimacy to the argument that you want to de-politicize it but education is where most of the dollars in the country go and it certainly is a political issue. Ms.

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Gatto said she agreed a lot of small political issues surround this but, to her, the right thing to do is move it to November because there is a more engaged electorate at that point and there would probably be better quality candidates to vote on a quality budget. She said the question is whether the members have enough information to make a decision in such a short an amount of time. Dr. Kesselman said he didn't think they do and it would be kind of bizarre to have one election in April and one in November if the local and regional aren't in concert. He commented reaching out to other Mayors and asked where they are on this. Mr. Sandman said they are in the same boat as this Committee timing-wise. Mr. Cain asked for clarification that it would be binding if the local board decided to move it to November and that that it would prevent the Regional from being in November if Egg Harbor or Mullica decided not move their elections. Dr. Kesselman said if the Regional Board decided to move it, it would supersede the other local ones. Mayor Silva commented on people thinking the Township is responsible for all of their taxes when 53% of every tax dollar is for the school; he agreed that to get the proper amount of people to the voting booth, you have to have it at a time when more people come out than they do for school board elections. Mr. Sandman explained tonight is the Committee's opportunity to do this; if they don't, it is in the hands of the Hamilton Township Board of Education and if they do it, it goes to November but if they don't, it stays in April until next year. Ms. Gatto said she understood the Regional Board is voting on it this week and several of the sending districts are voting on or discussing it at their Council meetings this week. She commented on that giving the Committee a sense of where they are and would give them time to have a special meeting next week if they want to be part of the decision. Mr. Sandman explained if they took no action the Committee could wait and see; it is moot if the local school board meets before the 17th and votes affirmatively. He said the Committee has to wait and see what the other towns do and what the Regional Board does. Mrs. Dix said the Law was signed January 17th; the Committee Members got the Local Finance Board notice last Friday; it gave the Members 14 days to make a massive decision that involves 4 towns; and she needs feedback from Mullica, Egg Harbor City and Galloway. Mr. Cain said the Committee could continue holding it in April this year and make a decision on moving it in the future since they are under such time constraints. Mr. Sandman explained that could cause Hamilton Township to be the hold-out on the Regional. Mr. Cain asked if the Regional Board had authority to change it without everyone agreeing. Dr. Kesselman said they do because they represent the sending municipalities by having a representative from each one on the Board.

Russell Bongiovanni, Sr., said he attended a Regional Board meeting and either the Superintendent or Administrator clearly said they didn't want to move the date because it would be too political. Ms. Gatto said that isn't what she heard. Dr. Kesselman asked if what Mr. Bongiovanni was saying was based on what he heard but didn't know what the Board said. Mr. Bongiovanni said the Board pretty much does what the (Superintendent and Administrator) say. Dr. Kesselman commented the Committee feeling it would be beneficial in the long run to move it to November but they don't know when to decide to do it. Harry Rogers said the Administrator brought the topic of the election up out of sequence and his impression is that the Administrator wanted to disavow himself from that process altogether knowing full well that the out-of-sync election heavily stacks the deck; with only 1000 people voting, the employees and one family member own the election and are essentially voting themselves a pay raise every year; having the election in April when it doesn't get any attention guarantees a skewed result forever and the cycle should be broken once and for all. Mr. Rogers urged the Committee to vote yes on the resolution and take a leadership position ahead of the other sending districts. Mayor Silva said the Committee has an opportunity to do what is probably in the best interest of the residents and general public; to do what they always believed is right and move the elections to November. Mrs. Dix commented on the feeling that without consensus from Mullica, Egg Harbor City and Galloway, the Township could end up with a Regional election in April and a local one in November. She said that no money will be saved because there will still be an election in April and the

and the Board of Election and Superintendant of Elections will be open until after the polls close at 9 PM. In response to Mr. Cain's question, Mr. Sandman explained that whoever makes the decision first, it is binding for the local board and presumably will send a message to the sending districts of the Regional. Mr. Cain said his desire is to move the election to November and send a statement that the Committee Members think a better sampling of voters should have a say in the school board election.

There being no further discussion, the Mayor asked what the pleasure of the Members was.

Mr. Cain moved, seconded by Mayor Silva, that the following resolution be adopted.

RESOLUTION BOE-1

A RESOLUTION ESTABLISHING THE ELECTION OF MEMBERS OF THE HAMILTON TOWNSHIP (ATLANTIC COUNTY) BOARD OF EDUCATION AS THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER

WHEREAS, P.L. 2011, c. 202 authorizes changing the election date of School Board Members from the third Tuesday in April to the first Tuesday after the first Monday in November (the General Election); and

WHEREAS, Such action requires the adoption of a Resolution by a School District or the municipality or municipalities constituting such District, as set forth in P.L. 2011, c.202; and

WHEREAS, P.L. 2011, c. 202 requires that the change to a November election remain in effect for four years; and

WHEREAS, P.L. 2011, c.202 eliminates the annual voter referendum on the proposed general fund tax levy (i.e., the base budget which is at or below the statutory tax levy cap) in school districts where the Board of Education Members are elected at the General Election; and

WHEREAS, P.L. 2011, c. 202 requires that an additional general fund tax levy proposal (i.e., for an expenditure in excess of the tax levy cap) be presented to voters as a separate question at the General Election; and

WHEREAS, The Township Committee of the Township of Hamilton in the County of Atlantic believes that the financial interest of its constituents is safeguarded by the state's tax levy cap and the thorough review of the proposed school budget by the Executive County Superintendent and the Executive County School Business Administrator; and

WHEREAS, The Township Committee of the Township of Hamilton believes that more citizens will participate in the selection of School Board Members at the General Election than on the third Tuesday in April and that the higher level of participation will foster positive interest in our public schools; and

WHEREAS, the Township Committee of the Township of Hamilton is committed to the non-partisan status of School Board Membership and the non-partisan conduct of school elections and believes this principle will not be compromised by conduction the Board Member elections in November,

NOW, THEREFORE, BE IT RESOLVED that, pursuant to P.L. 2011, c. 202, the Township Committee of the Township of Hamilton does hereby change the annual election date for School Board Members from the third Tuesday in April to the November General Election beginning of 2012; and

BE IT FURTHER RESOLVED that, pursuant to P.L. 2011, c. 202, the annual reorganization meeting of the Hamilton Township Board of Education will take place in the first week of January 2013; and

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BE IT FURTHER RESOLVED that, pursuant to P.L. 2011, c. 202, Members of the Board of Education whose terms would have expired by May 2012 will continue to serve in office until the January 2013 reorganization meeting; and

BE IT FUTHER RESOLVED that a certified copy of this resolution be transmitted to the Atlantic County Clerk; the Atlantic County Board of Elections; the Atlantic County Superintendent of Elections; the municipal Clerks of Egg Harbor City, Galloway Township, Town of Hammonton and Mullica Township; the school board secretaries; the Department of State, Division of Elections; the Department of Education's Executive County Superintendent; and the Department of Community Affairs, Division of Local Government Services; and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the New Jersey School Boards' Association and the New Jersey State League of Municipalities.

ROLL CALL: CAIN "YES"
DIX "YES"
GATTO "YES"
KESSELMAN "YES"
SILVA "YES"

RESOLUTION ADOPTED FEBRUARY 6, 2012.

Members' comments when casting their vote on the foregoing resolution:

Ms. Gatto said she voted "yes" because she thinks it is the right thing to do but she doesn't think it is the right time for the vote because she doesn't think the Township reached out or had conversation with the local school board. She said she doesn't think that is an optimum way to be a partner; she would rather have waited and had a special meeting next week before the vote.

Dr. Kesselman said he echoed Ms. Gatto's sentiments. He said leadership comes in all formats and once in a while when you do gain consensus it doesn't mean you are incapable of demonstrating leadership. He said that for the better part of the last 2 years the Committee has had consensus over and over again and he would put the leadership capability of this Committee up against any one that preceded it based on the outcomes they have consistently demonstrated; there is no question in his mind that it should be moved to November; the Committee should have had the opportunity to and should have reached out to others because they will look very foolish if the Township ends up with two separate elections.

Mayor Silva said he agreed with Dr. Kesselman and he thinks this Committee has been able to make the tough decisions that over time have proven to be the right decisions. He said hopefully their fellow districts will understand where the Committee is coming from; that if they move the elections, the local and regional will move simultaneously because it makes the most sense to the residents; and that aside from saving money, it is the right thing to do.

Ms. Gatto asked Mr. Jacobs to reach out to both schools tomorrow and let them know the Committee's discussion and decision and to make sure it is communicated to all the school board members and administrators. Mayor Silva said he would call the other Mayors. Mr. Sandman asked if the Committee would like him to have the same conversation with the solicitors of each board. The Members said they would.

Gross Density requirements in GAL Zoning District:

Mayor Silva asked if Mr. Cain would like to discuss it with Mr. Sartorio. He explained the Planning Board requested this be brought up for discussion and to potentially close what they deem a loophole so the intent of the Ordinance is upheld. He explained that when the Ordinance was written the intent was to require a minimum of one acre for each individual lot regardless of the gross density; the way it is now with the play on words, lots of less than one acre would be required to be approved; and the board had quite a bid of discussion

on it. Mr. Cain said the application in question was designed with incredible integrity but that may not be the case with the next application. Mr. Sartorio explained eliminating those four words effectively locks in the one acre minimum zoning requirement unless you have water and sewer. He said the MUA doesn't provide sewer collection service anywhere along River Road, Mays Landing-Somers Point Road or Ocean Heights Avenue; the change would lock in the one acre zoning until such time as DEP amended their water quality regulations and the MUA decided or was able to provide sewer there. Mr. Sartorio explained the other way would be to amend the table to create the minimum lot area requirement but that raises the issue of not being able to achieve the one acre density because roads and infrastructure would be taken out and the typical loss is about 20%. Mr. Sandman said this is the first he heard about this but he is always in favor of closing loopholes to satisfy the intent of the Ordinance. He commented on the desire being to make it a minimum of one acre with roads and said it should be done if it is supported by the Planning Board and Zoning Office. In response to questions by Mr. Cain and Mrs. Dix, Mr. Sandman explained it starts with the Planning Board; if they agreed with Mr. Rosenberger's analysis they have to formally vote on it and send a recommendation to amend it the Township Committee. He commented on special notification being required under the Municipal Land Use Act for lands that are directly affected and said he will look at the notice provisions.

Mr. Cain moved, seconded by Mrs. Dix, that a recommendation as outlined by the Solicitor be sent to the Planning Board.

MOTION CARRIED WITH ALL MEMBERS VOTING "YES, NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

Coin Drop Ordinance:

Mayor Silva explained the change that limits each qualified organization to 6 one-day solicitation permits per year and commented on concern about one organization taking all the weekends. Mr. Sandman suggested they be allowed one permit every 60 days; that each one be applied for separately; and that it can only be applied no less than 30 days and no more than 40 days before the event. He commented on the Committee's power of discretion and said the idea is to apply it fairly across the board but to allow the charitable organizations to do six a year if they want to. Ms. Gatto questioned how it will be handled if a group wants a Saturday and Sunday. Mr. Sandman said they could do it but they couldn't have another two-day event for at least 60 days and that would give them four in the summer season. Mrs. Dix commented on April to October being an 8-month season and asked if 45 days between events would be more reasonable than 60 days. Mr. Sandman said it could be. He said it isn't difficult to make sure one group isn't coming in the first day and glomming the best spots and best weekends; the Committee could also require an alternating system from year to year; and the Committee has the flexibility to do that without amending the ordinance. Ms. Gatto asked if timing of the application and things like that have to be legislated and if that would be a significant change to the Ordinance the Members had in front of them. Mr. Sandman said it does. Mr. Cain said he was in favor of reducing it from 60 to 45 days because the number of months is being condensed and he doesn't think it goes against the intent of what the Committee is trying to accomplish. In response Ms. Gatto's concern about adding permitted roadways in the future, Mr. Sandman said he can make the Ordinance so the Committee can make those changes administratively. Ms. Gatto explained she asked Chief Tappeiner to look at where sports organizations, non-fire or non-veteran organizations could safely do coin drops within the guidelines of the Township Ordinance because they aren't allowed to do them on County Roadways. Mr. Sandman said there is another meeting in February and recommended the Committee not approve the Ordinance in its present form; that they let him put it into final form; and said that will allow enough time for an April solicitation. Mr. Sandman clarified that they could apply for a Saturday and Sunday as long as it was done within the time frame

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parameters. Mr. Jacobs suggested that the Committee would know everything that was scheduled and could make sure no one was getting an advantage if they have the application 15 days prior to the month the event is to take place. Mr. Sandman said a concern of charitable organization may be that after the Township says yes they have to go to the County. David Elkner explained that when he was the coin drop chairman for the fire company they had to come to the Township then to the County and also to the State if it was at Wrangleboro Road and 322. He explained Cologne Fire Company put in their applications in January so they would have the permits for coin drops on State highways by June. In response to Mr. Sandman's question, Mr. Elkner explained they can't go to the State first because the Police Chief has to sign the application first. Mayor Silva commented on the 30 days being lived with before and suggested leaving it that way. Mr. Sandman explained he thought making a window of time for the application process would eliminate favorable treatment to some and not-so-favorable to others. Mr. Jacobs suggested creating an administrative procedure. Mr. Sandman suggested it could be open so that a group could apply and if there is a conflict (of dates) it could be a lottery with one group getting it one year and the other getting it the next year. Ms. Gatto said the Township doesn't have the staff to track all of that for a coin drop when they are trying to track OPRA requests as a priority. She said she wasn't in favor of a lottery and suggested the application have to be made no more than 75 days prior to the event and dealing with it if there is a conflict. Mrs. Anderson explained the policy that went with the Ordinance said they could apply up until March 1st for three different dates; they had to list them in order of priority; the Committee would only approve the first priority for each organization; and after March 1st all the dates were open. Mr. Sandman suggested the safest route would be to allow Committee discretion based first on safety and second on fundamental fairness; allow it to be narrowed administratively; and revisit it after a year if it doesn't work. Ms. Gatto said she is alright with first-come first served; she calls that having all your stuff together and being organized. She said she is concerned about Mr. Jacobs and Chief Tappeiner spending time being referees between organizations over coin drops. Mayor Silva said he thought it was covered in Section C. Mr. Cain asked if Ms. Gatto was saying she believed a time in between dates isn't necessary. Ms. Gatto said it wasn't necessarily a priority to her; she doesn't want a rush at the beginning of the year with one organization taking up all the dates for the entire year; and she thinks if there is a provision that limits when you can apply for a certain date, people have to be organized, mindful and watch out for what they want to accomplish. Mayor Silva said it comes down to public safety. Mrs. Dix said the intersection listed as Main Street and Route 40 should be Mill Street. Mr. Sandman said he and Mr. Jacobs will put something together and get it to the Members well in advance of the next meeting.

Amendments to Community Based Program Advisory Board Ordinance:

Mr. Jacobs explained it slightly modifies the membership and reduces the quorum to 5 members in accordance with the discussions at the last meeting. Mayor Silva questioned the necessity of Committee Appointments because there will be members and officers from various organizations and the Committee doesn't appoint them, the organization decides who will represent them. Ms. Gatto said it would be the same as the Committee does for the ESAB Board. Mr. Sandman said that changing it to "advice and consent" of the Township Committee would not be a material alteration.

Ms. Gatto moved, seconded by Mr. Cain that the following resolution be adopted.

BE IT RESOLVED that Section 15.3.A of Ordinance #1714-2012 be amended to remove the words "Township Committee Appointments" and replace it with "Committee by confirmation".

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Ordinance #1714-2012 be and is hereby introduced as amended and passed on first reading and the Township Clerk is authorized to advertise same in the February 8, 2012 issue of the Atlantic Record for a public hearing to be held at 6:30 PM on Tuesday, February 21, 2012 in the municipal building, Mays Landing, NJ.

RESOLUTIONA ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

ORDINANCE NO. 1714-2012

**TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ**

AN ORDINANCE AMENDING CHAPTER 15 OF THE HAMILTON TOWNSHIP CODE TO
MODIFY THE COMMUNITY BASED PROGRAMS ADVISORY BOARD

WHEREAS, the Township Committee created the Township of Hamilton Community Based Programs Advisory Board to assist and advise the Township Committee and Township Administrator on maintaining community pride, holding hometown events and celebrations, and enhancing the quality of life in the Township of Hamilton through community and recreational activities;

WHEREAS, the Township Committee desires to amend certain portions of Chapter 15 of the Hamilton Township Code in order to further effectuate the aforementioned goals of the Community Based Programs Advisory Board;

NOW, THEREFORE, BE IT ORDAINED, by the Township of Hamilton, County of Atlantic, State of New Jersey, as follows:

1) Chapter 15 of the Township Code is amended to read as follows:

Section 15-1-Purpose

[NO CHANGE]

Section 15-2-Establishment

[NO CHANGE]

Section 15-3-Membership and Officers

A. The Community Based Programs Advisory Board shall consist of the following thirteen (13) members:

Committee By Confirmation:

- President of the Mays Landing Merchants Association (or designee)
- President of the Rotary Club of Mays Landing (or designee)
- Representative of the Mays Landing Athletic Association
- Representative of the Hamilton Township Police Athletic League
- Representative of the Hamilton Township Soccer Club
- Representative of the Hamilton Youth Athletic Association
- Representative of the Hamilton Township Public Schools
- Representative of the Greater Egg Harbor Regional High School District
- Representative of the Hamilton Historical Society

Mayor's Appointments:

- Hamilton Township Employee
- Three (3) residents not already associated with any of the organizations already included in this list.

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- B. The mayoral appointments shall expire December 31 of each year. The terms of all other members shall terminate from time to time as the offices in their representative organizations shall require.
- C. The Community Based Programs Advisory Board shall reorganize at its first meeting of each calendar year. During the reorganization, the members of the Community Based Programs Advisory Board shall choose from among themselves a Chairperson and a Vice-Chairperson. During the annual reorganization, the Community Based Programs Advisory Board shall also establish its meeting dates for the year, which shall be, to the extent necessary, once per month and which may be altered at the discretion of the board.
- D. Notwithstanding any other provision of this Ordinance, any person who is a member of the Community Education/Recreation Advisory Board at the time of its abolition and who is also associated with one of the youth athletic associations set forth in Section 15- 3a, but is not designated as that association's representative on the Community Based Programs Advisory Board, shall nevertheless serve as an *ex officio* member of the Community Based Programs Advisory Board until December 31, 2011.

Section 15-4-Powers

[NO CHANGE].

[NEW] Section 15-5-Quorum

Attendance by at least five (5) voting members of the Community Based Programs Advisory Board shall constitute a quorum for its meetings.

3) This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

ROLL CALL: CAIN "YES"
DIX "YES"
GATTO "YES"
KESSELMAN "YES"
SILVA "YES"

ORDINANCE NO. 1714-2012 INTRODUCED AND PASSED FIRST READING ON FEBRUARY 6, 2012.

Public Hearing/Adoption - Ordinance #1711-2012:

Mr. Jacobs explained the Township is required by State Law to grant the Gas Company a franchise and cannot charge them for it. He said this is basically extending their existing franchise.

There being no questions or comments from the public on the Ordinance, Mr. Cain moved, seconded by Dr. Kesselman, that the public hearing be closed.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

WHEREAS, Ordinance #1711-2012 was introduced and passed first reading on January 17, 2012 and was duly advertised in the January 25, 2012 issue of the Atlantic County Record for a public hearing to be held on February 6, 2012; and

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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 #1711-2012 be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

TOWNSHIP OF HAMILTON
ATLANTIC COUNTY, NJ

ORDINANCE #1711-2012

AN ORDINANCE GIVING AND GRANTING CONSENT AND PERMISSION TO THE SOUTH JERSEY GAS COMPANY, A CORPORATION OF THE STATE OF NEW JERSEY, TO FURNISH GAS FOR LIGHT, HEAT AND POWER IN THE TOWNSHIP OF HAMILTON IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY.

The members of the Township Committee of the Township of Hamilton do ordain:

Section 1. That exclusive consent and permission to furnish gas for light, heat and power in the Township of Hamilton, County of Atlantic, State of New Jersey, is hereby given and granted to South Jersey Gas Company, a corporation of the State of New Jersey, subject to approval of such consent and permission by the Board of Public Utilities of the State of New Jersey.

Section 2. That exclusive consent and permission is hereby given to South Jersey Gas Company to lay and construct its pipes and mains and related appurtenances and facilities within the streets, alleys, squares and public places within the Township of Hamilton in the manner required by N.J.S.A. 48:9-21, in each case for the purpose of furnishing gas and subject to reasonable regulations imposed by ordinance or resolution with respect to the opening of streets and public places, subject to approval of such consent and permission by the Board of Public Utilities.

Section 3. The consents granted in Sections 1 and 2 are granted for the entire geographical area of the Township of Hamilton and extend to the boundaries of the Township of Hamilton.

Section 4. Following adoption and final passage of this ordinance, and acceptance thereof by South Jersey Gas Company, the permission and consent granted herein shall continue and be in full force and effect for a period of fifty (50) years from the date of its approval by the New Jersey Board of Public Utilities. South Jersey Gas Company may furnish gas under the terms and conditions hereof at, and after, the expiration of the term of this ordinance while seeking further renewal of Township consent.

Section 5. The said South Jersey Gas Company shall within thirty (30) days after the passage of this ordinance file with the City Clerk a bond in the amount of One Thousand Dollars (\$1,000.00) conditioned upon the restoration of any street or public place which may be opened by it in a manner satisfactory to the Director of the Department of Public Works.

Section 6. This ordinance shall take effect after its final passage and publication according to law.

ATTEST: TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, N.J.

JOAN I. ANDERSON, R.M.C.
TOWNSHIP CLERK

ROGER SILVA, MAYOR

February 6, 2012

ROLL CALL: CAIN "YES"
DIX "YES"
GATTO "YES"
KESSELMAN "YES"
SILVA "YES"

ORDINANCE #1711-2012 INTRODUCED AND PASSED FIRST READING JANUARY 17, 2012.
ORDINANCE #1711-2012 ADOPTED FEBRUARY 6, 2012.

Public Hearing/Adoption - Ordinance #1712-2012:

Mr. Jacobs explained that if adopted the Ordinance will allow a date and time to be set to accept sealed bids for it; it is on Route 50 and Peach Street; \$3,300.00 is the recommended minimum bid; and the most important thing is to get it back on the tax rolls. Mrs. Dix asked if it would be a deed of consolidation if there is a successful bidder. Mr. Jacobs said it would.

There being no questions or comments from the public on the Ordinance, Ms. Gatto moved, seconded by Mr. Cain, that the public hearing be closed.

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

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

WHEREAS, Ordinance #1712-2012 was introduced and passed first reading on January 17, 2012 and was duly advertised in the January 25, 2012 issue of the Atlantic County Record for a public hearing to be held on February 6, 2012; 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 #1712-2012 be and is hereby adopted.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

TOWNSHIP OF HAMILTON
ORDINANCE NO. 1712-2012

AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 938, LOT 6 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF HAMILTON, AND GRANTING TO THE OWNER OR OWNERS OF SAID REAL PROPERTY CONTIGUOUS TO SAME THE RIGHT TO PRIOR REFUSAL TO PURCHASE SUCH LAND IN THE TOWNSHIP OF HAMILTON, COUNTY OF ATLANTIC, AND STATE OF NEW JERSEY.

BE IT ORDAINED by the Township Committee of the Township of Hamilton, County of Atlantic and State of New Jersey, that:

SECTION 1. The following described lots and block numbers on the Hamilton Township Tax Map are hereby determined to be less than the minimum size required for development in said Township under the existing Developmental Ordinance and further without any capital improvements thereon.

SECTION 2. Upon final adoption of this Ordinance, owners of real property contiguous to the subject lot may thereafter submit an offer to the Township Clerk, as designee of this Governing Body, in writing and on forms prepared by the Township for a period of twenty (20) days following advertisement of the finally adopted Ordinance pursuant to N.J.S.A. 40A:12-13. All offers shall be made in a sealed envelope. No offer less than the minimum value established herein below for said lot shall be considered by the Township Committee.

SECTION 3. In the event of bids being submitted by more than one (1) contiguous property owner with respect to said lots, the sale shall be made, if at all, to the highest bidder. The Township Committee reserves the right to reject any and all bids and to thereafter advertise the subject property for public sale pursuant to N.J.S.A. 40A:12-13(a).

SECTION 4. The following conditions of sale shall apply:

- (a) The successful bidder shall submit a certified check made payable to the "Township of Hamilton" in the amount of twenty (20%) percent of the purchase price, which check shall be submitted in the sealed envelope at the time of submission of the bid. Persons bidding on behalf of a contiguous property owner shall be required to submit in writing satisfactory evidence of their authority. The balance of the purchase price plus FOUR HUNDRED TWENTY-FIVE (\$425.00) DOLLARS to off set administrative costs including but not limited to advertising, legal and recording fees shall be paid in cash or certified check within ten (10) days after the Township Committee accepting the bid and Authorizing the sale to the high bidder.
- (b) The Deed prepared by the Township Committee shall not be tendered until the full purchase price is paid.
- (c) Title shall be conveyed by and through a Quitclaim Deed and Shall convey only the right, title and interest of the Township of Hamilton to the land, as described herein. No warranties and covenants are or shall be made by the Township of Hamilton and in no event shall there be any Liability on the part of Township by reason thereof. The right, title and interest of the successful bidder, as purchaser, shall be subject to the following conditions, covenants, restrictions, easements and exceptions which shall run with the land and shall also become part of the Deed granted to the purchaser for the recording:
 - (1) Easement of utility companies and of governmental agencies or bodies.
 - (2) Any encroachments, prescriptions, easements or other state of facts pertaining to said lands which may be ascertained upon a visual examination and inspection of the land and the lands surrounding said land and any restrictions and covenants of record.
 - (3) All existing federal, state, county and municipal laws, statutes, ordinances, rules and regulations including, by of description and not by limitation, existing zoning, health and planning board rules and regulations.
 - (4) No representation of any kind is made that the land in question, surface as well as subterranean portions, is suitable or adaptable for any particular use whatsoever.
 - (5) No representation of any kind is made concerning gas or electric service to the land.
- (d) In the event that the Township cannot convey good and marketable title, subject to the above, the purchaser will be entitled to the return of the deposit, without interest, and the Township will not be responsible or liable in any other manner and for any other amount.
- (e) In the event that the purchaser defaults in making payment to the Township, as set forth above, or if the purchaser cannot make settlement in accordance with the terms thereof, the deposit made by the successful bidder on account of the purchase will be retained by the Township as and for its liquidated damages and the land may be resold. This remedy shall be in addition to the Township's right to compel specific performance of the purchaser's obligation hereunder. Time is of the essence.

SECTION 5. The Township owned lots and minimum bid established therefore are as follows:

<u>Block/Lot(s)</u>	<u>Lot Size</u>	<u>Location</u>	<u>Zoning</u>	<u>Minimum Bid</u>
938 / 6	0.74 acre	Route 50	RD-1	\$3,300.00

SECTION 6. SPECIAL CONDITIONS: This lot is not buildable and the successful bidder shall be required to consolidate it with their existing lot in Block 938 and make it a part thereof.

SECTION 7. All Ordinances and parts of Ordinances of Hamilton Township 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 8. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

SECTION 9. This Ordinance shall take effect immediately upon its publication after final passage as required by law.

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
COUNTY OF ATLANTIC, NJ

ATTEST:

JOAN I. ANDERSON, R.M.C.
TOWNSHIP CLERK

ROGER SILVA, MAYOR

ROLL CALL: CAIN "YES"
DIX "YES"
GATTO "YES"
KESSELMAN "YES"
SILVA "YES"

ORDINANCE #1712-2012 INTRODUCED AND PASSED FIRST READING ON JANUARY 17, 2012.
ORDINANCE #1712-2012 ADOPTED FEBRUARY 6, 2012.

Introduction Ordinance #1713-2012:

Mr. Jacobs said 1-year isn't enough time to get certain roads paved depending on alignment and changes that need to be made because of Pinelands and other regulatory agencies; this will allow additional planning time for 2012 and 2013 paving; and next year the Township will go back to a single year which will be for 2014 if approved.

Ms. 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 Ordinance #1713-2012 be and is hereby introduced and passed on first reading and the Township Clerk is authorized to advertise same in the February 8, 2012 issue of the Atlantic County Record for a public hearing to be held at 6:30 PM on Tuesday, February 21, 2012 in the municipal building, Mays Landing, NJ.

RESOLUTION ADOPTED WITH ALL MEMBERS VOTING "YES", NO "NO", NO "ABSTAIN" ON ROLL CALL VOTE.

ORDINANCE #1713-2012

BOND ORDINANCE APPROPRIATING TWO MILLION DOLLARS (\$2,000,000) AND AUTHORIZING THE ISSUANCE OF ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) IN BONDS OR NOTES OF THE TOWNSHIP OF HAMILTON FOR VARIOUS ROADWAY IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY

BE IT ORDAINED BY THE COMMITTEE OF THE TOWNSHIP OF HAMILTON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Township of Hamilton, in the County of Atlantic, New Jersey (the "Township"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the sum of money therein stated as the apportionment made for said improvement or purpose, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to TWO MILLION DOLLARS (\$2,000,000), including the aggregate sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000) as the down payment for said improvement or purpose as required pursuant to N.J.S.A. 40A:2-11 and more particularly described in Section 3 and now available by virtue of provision in a previously adopted budget or budgets of the Township for down payment for capital improvement purposes, and including also monies received or expected to be received from the United States of America, the State of New Jersey or the County of Atlantic, or agencies thereof, as grants in aid of financing said improvements or purposes.

Section 2. For the financing of said improvement or purpose and to meet the part of said TWO MILLION DOLLARS (\$2,000,000) in appropriations not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) pursuant to the Local Bond Law of New Jersey (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of such purpose, and the estimated maximum amount of bonds or notes to be issued for such purpose, are respectively as follows:

February 6, 2012

IMPROVEMENT OR PURPOSE	APPROPRIATION AND ESTIMATED COST	ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES
Various Municipal Roadway Improvements, including milling and overlay, paving and curbs, such new roadway pavement to be at least equal in useful life or durability to a road of Class B construction, as referred to in Section 40A:2-22 of the Local Bond Law, together with the construction or reconstruction of drainage facilities, pavement preparation, pavement construction or reconstruction, asphalt concrete resurfacing, driveway, curb, sidewalk and shoulder restoration, handicapped accessible curb ramps, striping, and all other necessary or desirable structures, appurtenances and work or materials, all as shown on and in accordance with plans and specifications heretofore or hereafter filed in the office of the Township Clerk and hereby approved, including the costs of surveying, construction planning, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$2,000,000	\$1,900,000
TOTAL	<u>\$2,000,000</u>	<u>\$1,900,000</u>

The excess of the appropriation made for the improvement or purpose aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. In anticipation of the issuance of said bonds and to temporarily finance said improvement, negotiable notes of the Township in a principal amount equal to the said principal of bonds not exceeding ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be

in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as he may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the Committee of the Township at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law.

The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The signature of the Chief Financial Officer upon said note(s) shall be conclusive evidence of such determination.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is **10.00 years**.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000), and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding FOUR HUNDRED THOUSAND DOLLARS (\$400,000) in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection

February 6, 2012

costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the Township in connection with the construction or acquisition of the improvement and property as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvement and are included in the foregoing estimate thereof.

Section 6. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 7. The Township reasonably expects to reimburse any expenditures towards the costs of the improvement or purpose described in Section 3 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 has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Township, or any member of the same "control group" as the Township, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditures towards 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 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication of a summary thereof after final adoption, as provided by the Local Bond Law.

ATTEST:

TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF HAMILTON,
ATLANTIC COUNTY, NJ

JOAN I. ANDERSON, R.M.C.
TOWNSHIP CLERK

ROGER SILVA, MAYOR

ROLL CALL:	CAIN	"YES"
	DIX	"YES"
	GATTO	"YES"
	KESSELMAN	"YES"
	SILVA	"YES"

ORDINANCE #1713-2012 INTRODUCED & PASSED FIRST READING FEBRUARY 6, 2012.

Mr. Smith said the bid will be advertised before the end of February; he received a letter from Pinelands today that they can all be reconstructed under the existing Memorandum of Agreement because they are being reconstructed to the existing widths; and the West Jersey Avenue/Grand Avenue/Reega Avenue intersection is not included in the spring program because it will require a full Pinelands approval.

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Business Registration License for Buck Tail Outfitters, LLC, a sporting goods store on Harding Highway, is hereby approved.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following list of Laureldale Volunteer Fire Company Members eligible for 2011 LOSAP Credit as certified by its Chief be and is hereby accepted.

J. Bakley	163 points	E. Moran	148 points
C. Debaise	117 points	R. Moran	167 points
F. Gabriel, Jr.	163 points	B. Mulvenna	109 points
F. Gabriel, Sr.	141 points	L. Murray, Sr.	111 points
T. Heiler	101 points	S. Smith	123 points
S. Hulse	160 points	J. Stafford, Sr.	121 points
D. Jarvis, Jr.	154 points	N. Subbotin	106 points
D. Jarvis III	105 points	S. Tarbutton	125 points
E. Kepner	133 points	C. Tilley	165 points
J. Liberty	160 points	R. Treen	115 points

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the following list of Mays Landing Volunteer Fire Company Members eligible for 2011 LOSAP Credit as certified by its Chief be and is hereby accepted.

Gene Wellington, Jr.	236 points	Rob Debiaso	161 points
Ken Badger, Jr.	223 points	Lou DiMartine	157 points
George Samuelson	210 points	Stacey Wellington	157 points
Dave Connelly	195 points	Josh Day	153 points
John Sauerwald	194 points	Rich Arroyo	153 points
Mime Errickson	190 points	Larry Birch	152 points
Dennis Bakker	181 points	Joe Rogers, Jr.	150 points
Kevin Slater	175 points	Jay Wyatt	141 points
Mike Perri	170 points	Mark Jenigen	133 points
Mike Reeves	169 points	Chad Winterbottom	125 points
Bobby Hamilton	165 points	Carl Pitale	111 points
George Spera	164 points		

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

February 6, 2012

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that purchases from State Contract Vendors listed below are hereby authorized as recommended the Finance Department.

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

	STATE CONTRACT NUMBER	COMMODITY		EXPRIES
A.E. STONE	76595	ROAD MATERIAL		4/30/2012
A.E. STONE	79984	ROAD MATERIAL		9/30/2012
BIRCH'S COMMUNICATION	53764	PUBLIC SAFETY		1/31/2013
CAM CO.	76909	PUBLIC WORKS SUPPLIES		6/28/2011
CAM CO.	69710	PUBLIC WORKS SUPPLIES		6/30/2012
CDW GOVT.	70263	TECHNOLOGY		8/31/2014
CDW GOVT.	70262	TECHNOLOGY		8/31/2014
CDW GOVT.	74851	TECHNOLOGY		8/31/2014
CDW GOVT.	74922	TECHNOLOGY		8/31/2014
CDW GOVT.	75579	TECHNOLOGY		8/31/2014
CDW GOVT.	75580	TECHNOLOGY		8/31/2014
CDW GOVT.	75583	TECHNOLOGY		8/31/2014
CDW GOVT.	75585	TECHNOLOGY		8/31/2014
CONTINENTAL FIRE & SAFETY	74003	FIRE SAFETY		4/30/2012
CONTINENTAL FIRE & SAFETY	76369	FIRE SAFETY		3/31/2012
CRAFT OIL CO.	70844	AUTO PARTS & SUPPLIES		2/29/2012
DELL	70256	TECHNOLOGY		8/31/2014
DELL	77003	TECHNOLOGY		6/30/2015
DREAGER SAFETY	76371	FIRE SAFETY		3/31/2012
GALLO GMC TRUCK	73698	AUTO PARTS & SUPPLIES		3/17/2012
GENERAL SALES ADMIN.	74011	FIRE SAFETY		4/30/2012
GOV CONNECT	70263	TECHNOLOGY		8/31/2014
H.A. DEHART & SON	75721	AUTO PARTS & SUPPLIES		1/19/2013
H.A. DEHART & SON	73771	AUTO PARTS & SUPPLIES		3/17/2012
H.A. DEHART & SON	69721	AUTO PARTS & SUPPLIES		6/30/2012
JAN COMMUNICATIONS	53803	COMMUNICATIONS		1/31/2013
JAN COMMUNICATIONS	61404	COMMUNICATIONS		1/31/2013
JC MILLER DBA NAPA	73739	AUTO PARTS & SUPPLIES		3/17/2012
LAWMEN SUPPLY	73992	PUBLIC SAFETY		4/30/2012
MARTURANO RECREATION	59052	RECREATION		3/31/2012
MUNICIPAL EMERG. SRVCS	76357	FIRE SAFETY		3/31/2012
NAT. ALEXANDER	76357	FIRE SAFETY		3/31/2012
NEXTEL	64429	COMMUNICATIONS		10/31/2012
PEACH COUNTRY FORD TRAC.	76911	AUTO PARTS & SUPPLIES		6/25/2013
REGIONAL TIRE SERVICES	71687	AUTO PARTS & SUPPLIES		4/8/2012
SJ AUTO SUPPLY	73718	AUTO PARTS & SUPPLIES		3/17/2012
SOFTWARE HOUSE INT.	77560	TECHNOLOGY		6/30/2015
STAPLES	77249	OFFICE SUPPLIES		7/31/2014
TACTICAL PUBLIC SAFETY	53824	COMMUNICATIONS		1/31/2013
TEKTRON	53824	COMMUNICATIONS		1/31/2013
TEKTRON	53752	COMMUNICATIONS		1/31/2013
TRICO EQUIPMENT	69726	AUTO PARTS & SUPPLIES		6/30/2012

TRICO EQUIPMENT	76917	AUTO PARTS & SUPPLIES	6/28/2013
TURF EQUIPMENT & SUPPLY	76923	AUTO PARTS & SUPPLIES	6/28/2013
VINELAND AUTO ELEC	73720	AUTO PARTS & SUPPLIES	3/17/2012
WITMER ASSOC.	76358	FIRE SAFETY	3/31/2012

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

RESOLUTION REQUESTING TRANSFER OF TRUST FUND ITEMS IN THE TOWNSHIP'S FINANCIAL STATEMENTS

WHEREAS, there exists various balance sheet items in the Township's financial statements;

WHEREAS, Mayor and Committee can authorize the Chief Financial Officer to transfer said balances;

NOW THEREFORE, BE IT RESOLVED that the Chief Financial Officer be authorized to transfer the following balance sheet items:

Other Trust Funds:

	From	To
Unemployment Reserve	\$250,000.	
Snow Removal Reserve		\$250,000.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that all bids received on January 4, 2012 for Banking Services be and are hereby rejected as recommended by the QPA/Deputy CFO based on revisions made to the specifications from the original RFP.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Item Based Contract awarded to Wood Men's & Boys Clothing on December 5, 2011 is hereby rescinded as recommended by the QPA/Deputy CFO, due to the vendor being non responsive to necessary documents after the award was made; and

BE IT FURTHER RESOLVED that the aforesaid Item Based Contract is hereby awarded to Specialty Graphics, the next lowest responsible bidder as recommended by the QPA/Deputy CFO.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton, that Change Order #1 for the CCTV Expansion Project Contract with 911 Securities, Inc. resulting in a net increase of \$7,650.00 as set forth below and as recommended by R. Grossman & Associates, the project consultant, is hereby approved, funding for said project is provided by CARS-E Grant.

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

February 6, 2012

PCO #1 – Revised-4

Date: February 1, 2012

Below is a list of additional costs for changes in the Scope of Work and credits for deleting proposed cameras as requested by Lt. Paul Sorrentino on behalf of the Township of Hamilton on January 31, 2012:

Credits:

First level Mall

- Delete Proposed Camera #100 – Indoor Analog Fixed - \$ 380.00
- Delete Proposed Camera #106 – Indoor Analog PTZ - \$1300.00
- Delete Proposed Camera #107 – Indoor Analog PTZ - \$1300.00
- Delete Proposed Camera #108 – Indoor Analog PTZ - \$1300.00
- Delete Proposed Camera #118 – Indoor Analog Fixed - \$ 380.00
- Delete Proposed Camera #119 – Indoor Analog Fixed - \$ 380.00

Second Level Mall

- Delete Proposed Camera #109 – Indoor Analog PTZ - \$1300.00
- Delete Proposed Camera #111 – Indoor Analog Fixed - \$ 380.00
- Delete Proposed Camera #113 – Indoor Analog Fixed - \$ 380.00

- Delete Proposed Camera #093 – Outdoor IP PTZ - \$2450.00

Total Credit: \$9550.00

Costs:

Camera #121 and Wi-Fi – relocate this equipment to the corner of the Convenience Center building and add wireless system connectivity due to lack of fiber optic connectivity to main mall building. Advantages for this relocation are the following:

- Setup will be hard wired for power and there will be no need to add any additional cost for the larger size battery/Solar equipment needed to power up the additional radio and Hotspot radio that is added to the original camera setup.
- Less equipment to maintain and replace in the future.
- Same field of view.
- Same access to Hotspot.
- 911 Security Cameras will pay for the additional cost to run power inside the Convenience Center.

- Added equipment and labor needed for 75MB hotspot link: (Up to 8 cameras @ 30FPS)
 - 2 Wireless 150MB links
 - Hotspot radio
 - 4 port Industrial grade Ethernet switch
 - NEMA 4 rated enclosure
 - Installation, setup and configuration

Subtotal: \$17,600.00

Credit for 10 cameras listed above: \$ (9,950.00)

Costs:

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 - 2 Wireless 150MB links
 - Hotspot radio
 - 4 port Industrial grade Ethernet switch
 - NEMA 4 rated enclosure
 - Installation, setup and configuration
- Subtotal: \$17,600.00
- Credit for 10 cameras listed above: \$ (9,950.00)
- Total Change Order: \$ 7,650.00**

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that Travelers Casualty & Surety Company of America bond #105713889 in the amount of \$144,094.50 be and is hereby accepted as the performance guarantee for the Capital Telcom Vienna Avenue cell tower site work (Block 1093/Lot 12).

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

Release of Cologne Gardens performance Guarantee:

Mr. Cain commented on of the basin's close proximity to the road and on flooding problems at the Cologne Avenue intersection and wanting to be sure the Committee isn't rushing into this and then running into an inherent a problem in the future. Mayor Silva said it is very shallow. Mr. Smith explained the basin is so shallow because seasonal high water is very shallow in that area and Pinelands gave them a waiver for 1' above seasonal high water; it is designed as an infiltration basin with overflow into an inlet along Cologne Avenue; the developer recently had a contractor in there who excavated some soil and replaced it with K4 sand; he got certification from their engineer that it was built in accordance with the approved plans; he observed it after an inch of rainfall and it appeared to drain out in an appropriate time frame. Mr. Smith explained the action tonight only releases the performance guarantee; they are required to post a 4-year maintenance guarantee for the stormwater management system; at the end of 4 years it will be looked at again and that triggers the yearly inspection and reporting requirement for the system. He explained the release also requires a 2-year maintenance guarantee for the remaining site improvements. Mr. Cain asked if Mr. Smith was comfortable that it is working properly. Mr. Smith said he is at this point time. In response to Mrs. Dix's question about the overflow, Mr. Smith explained there is a structure in the corner of the basin that overflows into the Cologne Avenue gutters to the corner at 322. Mayor Silva asked if the County had any issues with that. Mr. Smith said it was approved and under construction since 2002 and the County Planning Board had to approve it because the project was built along a county roadway. Mr. Cain commented on that intersection having problems for many years and said they approved a design that adds more water flow into a failing system. Mr. Smith explained that when the Gateway Project goes in at the corner they will construct a jughandle with a large stormwater basin at that intersection and he believes that has to be the first portion of the project to be constructed. He said hopefully the basin design will be able to handle the run off from the project and the intersection. Mr. Sandman said the resolution for release of the performance bond should be conditioned upon recordation of a restrictive covenant deed. Mrs. Dix asked if that would apply even though it is an apartment complex and run with the land and ownership of the apartment complex. Mr. Sandman said it would. Mr. Sandman explained the requirement to Michael Tallent, the Chief Operating Officer for Jack Trocki Development.

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Mr. Cain moved, seconded by Ms. Gatto, that the following resolution be adopted.

BE IT RESOLVED by the Township of the Township of Hamilton that Sun National Bank Letter of credit #1605483962, the performance guarantee for Jack Trocki Development Cologne Garden Apartments Project is hereby authorized to be released contingent upon the developer posting a 4-year Stormwater Management System maintenance guarantee in the amount of \$51,251.30 and a 2-year maintenance guarantee in the amount of \$92,826.67 for all other site improvements as recommended by Robert J. Smith III, Township Engineer January 30, 2012; and

BE IT FUTHER RESOLVED that as a condition precedent to release of the performance guarantee the developer shall deliver a Recorded Restrictive Covenant Deed to the Township Clerk.

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

Easement for AboveNet:

Mrs. Dix explained she is concerned about avoiding any potential conflicts with respect to overhead or underground utilities. She said she thought the request had something to do with the cell tower behind town hall. Mrs. Dix asked that Mr. Sartorio be involved with Mr. Sandman and Mr. Blankenship on whatever is being drafted. Mr. Sartorio explained AboveNet Communications is a fiber optic provider, primarily of data services, that is looking to expand their services into Hamilton and Egg Harbor Townships; their request is for an easement to co-locate their cable on Verizon and Atlantic Electric poles to provide service to commercial customers in the Township. He said his understanding is that it is to go on existing poles and the Township has to grant them an additional easement because they are privately owned by Verizon and on the Township's right-of-way. Mrs. Dix explained her concern is whether any of it will go underground as well as overhead and said that has to be clear because of the impact of easements that are granted in perpetuity. Ms. Gatto asked if the Solicitor could be authorized to prepare an easement with the understanding it is only for utility poles and nothing underground. Mayor Silva said his understanding is that they want most of the Fios stuff above ground so that they don't dig up the lawn if people want to go into their program. Mr. Sartorio said they are looking at the larger commercial establishments and using whatever Verizon is using. He said he will work with Mr. Sandman the AboveNet Counsel to clarify the issue. Mr. Sandman explained the Township would be giving them the same rights as were given to Atlantic Electric and Verizon subject to their consent.

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

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the Solicitor be and is hereby authorized to prepare an easement Ordinance for AboveNet Communications.

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

Ms. Gatto moved, seconded by Mr. Cain, that the following resolution be adopted.

BE IT RESOLVED by the Township Committee of the Township of Hamilton that the minutes of the January 17, 2012 regular meeting be and are hereby approved and adopted as published.

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

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Ms. Gatto moved, seconded by Dr. Kesselman, that the following resolution be adopted.

BE IT RESOLVED that all properly approved and executed payrolls and bills are hereby ordered paid, the bill list totaling \$3,893,667.63 as of February 2, 2012.

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

Ms. Gatto moved seconded by Mr. Cain, that the resignation of George Ausby from the Veterans' Advisory Board effective January 25, 2012 and the resignation of Frank Williams from the Veterans' Advisory Board effective January 26, 2012 be accepted and that they be sent letters of thanks for their service.

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

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

BE IT RESOLVED that Douglas Hand be appointed to the Veterans' Advisory Board to fill the unexpired term of George Ausby, said term expiring December 31, 2012.

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

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

BE RESOLVED that Aaron Reed be appointed to the Veterans' Advisory Board to fill the unexpired term of Frank Williams, said term expiring December 31, 2012.

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

Mayor Silva appointed Charles Pritchard and Pat Timmreck to the Community Based Program Advisory Board.

Reports:

Mr. Jacobs said he had nothing to add to his written report.

Mr. Sandman reported there is still about \$23,000.00 due on the property that he was authorized to conduct a rent receivership on and he has been directed to proceed with respect to that.

Mr. Sandman reported settlement has been achieved with the Liepes; the formal agreement was given to Mr. Jacobs; and it can be executed by the Mayor.

Mr. Sandman reported receiving a letter from the Planning Board Solicitor, John Rosenberger, regarding a Decision and Resolution approved by the Planning Board for a subdivision. He said he sent each Committee Member language he suggested for the Decision and Resolution as it relates to drainage basins; it mirrors the Homewood Court documents; and it requires the individual property owners as well as the Homeowners' Association to be responsible. Mr. Sandman explained that the Committee is into enforcement for the first time with the plans they developed for the future so that going forward the Township won't have a problem anymore. Mr. Cain asked if it required Planning Board action. Mr. Sandman said they only have to amend Clause 19 of the D & R to be consistent with his letter of January 26th.

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Mr. Sandman reported notification of default letters were sent January 16, 2012 to Westchester Bonding Company which covers two of the Tavistock phases and Gulf Insurance Bonding Company which has four of the phases; Travelers Insurance responded with respect to the Gulf Insurance bonds; they asked for a number of documents; he told them all of those things are in the hands of their principal, the developer but he asked Nancy Rainbow to put it together anyway to keep a cooperative process going; he now has responses from bonding companies covering all 6 phases of Tavistock; they are in their fact-finding phases; he directed a representative of the Westchester bonding company to Bob Smith; their engineer has spoken to Mr. Smith and they plan to walk the site within the next 2-3 weeks. He reported Michael Blee, the attorney for Tavistock homeowners' association, contacted him because there are issues that the Township may not be able to address independently without them. Mr. Smith reported the developer removed and replaced some sidewalks that had cracked and settled causing tripping hazards. He explained he, their comptroller and service manager met and walked all of the areas the residents had concerns about that were shown in blue on their map; he, Mr. Childs and another Board Member walked all of the areas of concern that the developer believed were legitimate issues and that they would take care; he explained to the Mr. Childs and the Board Member that some of the areas had significant slope and were not drainage issues; the developer was going to take his surveyor out to take shots of swale areas that remain wet and take care of those issues. Mr. Smith reported he suggested to the representative of the bonding company for phases 3 and 4 that they reach out their client who has a wealth of information that would probably answer a lot of their questions; he is going to meet with their engineer at the site to look at some of the issues; and hopefully there will be voluntary compliance on the issues in and around the dwellings and possibly on the basins also.

Mr. Sandman reported the letter he drafted to the Planning Board following up on something the Committee said about increasing the amount of cash in the performance bonds and eliminating restoration bonds where possible will sent out this week and he will ask for an opportunity to address the Board.

Mr. Smith reported Jeremy Sentman the representative for the Foxmoor development, Brewster Drive, bonding company called and said he will have a personnel there Wednesday morning to do test pits in the basin; once he has all the information he will have a scope (of work) put together; he anticipates being able to start work on remedying the issues in the spring; he doesn't have all the costs yet and isn't sure the amount of the surety will fix everything; he has concerns about drainage; and he wants to get everything finished for the town. Ms. Gatto asked that that information be gotten out to the residents. Mayor Silva said he would call them and is sure their solicitor would be getting in touch with Mr. Sandman. Mr. Sandman said he didn't think they retained counsel. He said Mr. Galletta gave him name and number at a meeting in November or December; he called Mr. Galletta when there was a feeling of good response from Mr. Sentman and explained what was happening and why he hadn't contacted him; and this would be an appropriate time to take the next step in communicating with Mr. Galletta. Mr. Smith asked Mr. Sandman to e-mail him Mr. Galletta's contact information and said he will let him know that personnel will be doing investigation there on Wednesday morning. Mr. Jacobs asked if Mr. Sentman's comment about not being sure there is enough money in the bond to finish the work means they will stop when the money stops and if the Township will have any input on priorities as to what does and doesn't get done. Mr. Smith said Mr. Sentman's priority is drainage; he agrees with that; and it is probably the town's priority also. Mr. Jacobs said the Township priority is getting the work done and not spending the money on consultant fees. Mr. Smith explained they are going to shoot some elevations, do some test pits, and check the pipe in the basin tomorrow. He said Mr. Sentman thinks the pipe is clogged. Ms. Gatto asked if Mr. Smith had any data he could share to expedite matters. Mr. Jacobs said it is a moot point if he is going to fix the problem regardless of the cost but he thinks the Township should have some participation in prioritizing what is going to get done if Mr. Sentman

is planning to stop short because he assumes someone else is going to pay for what is left. Mr. Smith explained Mr. Sentman is going to let the Township know what the issues are once he gets the information and has a better handle on what they are; then they will discuss what the priorities may be for completing the work if there aren't sufficient funds in the surety. Mr. Sandman said a developers agreement would be entered into; the bonding company will cost out what they consider the cost of the cure; they are not responsible above the penal sum, the amount of money left on the bond; the Township Committee would have an opportunity to prioritize and spend the money the best they can in the developer's agreement process; if there isn't enough money, the Committee, working with the engineer, will have the ability to decide what the money is spent on.

Mr. Smith reported Mr. Bongiovanni asked if Victoria Point was submitting yearly (basin) maintenance and inspection reports. He said he checked with Mr. Sandman and Nancy Rainbow and the obligation to begin submitting the reports doesn't start until the performance guarantee is released.

Mr. Smith reported good progress is being made with the road program. He reported questions came up about Market Street; he looked at aerials and the number of dwellings diminishes significantly as you proceed down Market Street from West Point Avenue; Mr. Blankenship also looked at it; and they both think it is prudent at this point in time to terminate this road program's reconstruction of Market Street at the Brooklyn Avenue right-of-way. Mr. Jacobs explained Committee approval of the change is needed because what the Committee had approved went a little further and is being scaled back. Ms. Gatto asked if another road on the list could go a little further now. Mr. Smith said it would in the fall program if not in the spring program. Mr. Jacobs said it would depend on the bids. Mr. Smith reported he will be requesting a check for Cape Atlantic Soil District application shortly; the fall program will be out to bid and constructed in the spring. Mrs. Dix asked what the Cape Atlantic Permit will cost. Mr. Smith said it could be \$1,500.00 depending on the area of disturbance.

Mr. Smith commented on the new carpeting being done and how much better the floor feels. He extended kudos to John Lake for being very conscientious and doing a really nice job.

Dr. Kesselman reported 12 patrol officers were interviewed for the one potential Sergeant position and 4 Sergeants for the one potential Lieutenant position on January 23rd. He thanked Chief Tappeiner and Captain Petuskey for having excellent materials on each candidate; and for how ready the candidates were for the interview. Dr. Kesselman he commended the Mayor for spending a lot of time with each candidate to discuss why the Committee made the budgetary decisions that they did. He commented on it being evident by the comments made during the interviews that even though the force is smaller, those who are here are committed to ensuring the safety and security of the Township and they are all to be commended for that.

Ms. Gatto congratulated police and all the law enforcement agencies that responded to the (escaped) convict event. She said she knows an internal investigation is be conducted and she thinks that it would be good for whatever information that can be shared be given to the public to give people a level of comfort. Ms. Gatto questioned why everybody didn't get the reverse phone calls and if there is a way for people to get on that list. Chief Tappeiner explained the reverse 911 goes through the County system that goes off a Verizon data base; not all residents are on that data base; it is important for residents that didn't get that phone call to go to the County website and fill out the form under emergency preparedness to add their name and address to the data base to become part of the notification process. Mr. Jacobs suggested putting a link to it from the Township website. Chief Tappeiner commented on residents not being able to call back and said he was told the County is getting a new system that will permit residents to call back and get the message. Ms. Gatto commented

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on parents being confused by the difference between a lock-down and high alert. Chief Tappeiner said Captain Petuskey did a phenomenal job as operations commander and they had tremendous help from the rest of the county.

Ms. Gatto congratulated Laureldale Fire Company on receiving a grant for fire apparatus and for being able to prepare the application in house. She said a Township employee who is a member of the fire department helped write the grant. Ms. Gatto said she hopes the ESAB Board will discuss coordination of these kinds of funds coming in because the Township has a replacement schedule.

Ms. Gatto reported receiving questions about the Dam and complaints about the water level of Lake Lenape dropping. Mayor Silva explained the contractor is waiting for the engineer to get back with the solution for the little bit of leakage on one side of the coffer dam and (the engineer) hasn't been responsive; their water lowering permit expires at the end of the month; and hopefully there will be an answer by the end of the week. Mr. Jacobs said he asked the County Engineer today for a written report.

Ms. Gatto commented on the construction that will be going on at Hamilton Mall and wanting to be sure anybody locally who wants to bid it has the opportunity to do so. She said any information the Township can get on the process they will use would be helpful.

Mrs. Dix reported the Association of Township Officials reorganization meeting and installation of officers will be held this Friday night and the County League of Municipalities meeting will be the following Friday night.

Mrs. Dix commented people having to go to the County website to sign up for reverse 911 and a lot of people in town not having computers in their house. She asked Chief Tappeiner if there was a way to check to see if people who don't have Verizon service are in the data base. The Chief said he will find out. Mrs. Dix said it would be easier if she could have forms to fill out and hand in. Ms. Gatto said the key is to know what the process for finding out if your number is there is so it can be communicated to the public and the Township won't be the usher of asking the County if a person's number is there.

Mr. Cain referred to the solicitor's mention of sending a letter to the Planning Board regarding cash in performance bonds and said he was under the impression there is a meeting tomorrow morning on it; he isn't a fan of that and needs some compelling, convincing arguments in order to move forward; he thought that was the purpose of tomorrow's meeting. He recommended that the solicitor not send the letter until after the findings of their meeting tomorrow if it wasn't sent yet. Mr. Sandman said he had dialog with Mr. Rosenberger on it already and said if the letter hasn't gone out he will abide by Mr. Cain's Committee recommendation. Mr. Jacobs said it wasn't strictly about cash. Mr. Cain said it was a myriad of things but cash was one of the concerns he brought up. He said they have to balance remaining business friendly and protecting the residents and he didn't know that that portion of it is going to do that.

Mayor Silva reported receiving a letter from the County Executive about having committed over \$13,500,000 to eligible Community Development Block Grant Program activities and projects undertaken by participating municipalities since 2001. He reported this year's round will be a little over \$1 million; there will be an informational meeting on it in the Library on February 23rd; and he wanted to be sure Mr. Sartorio to attend. Mrs. Dix said commented on attending those meetings in the past and she will be attending this one.

The Mayor commended Laureldale to be awarded that grant and said they have received over \$600,000 in grants over the past six years. He commended all the fire departments for receiving grants.

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Mayor Silva reported he swore in the Weymouth Fire Department Officers on Saturday. He complimented the officers of all the fire departments on their commitment to keeping their departments in order to continue to protect the lives and property of the residents. The Mayor said he thinks people sleep at night because they know they are well served.

Mayor Silva reported a meeting was held on January 25th with some of the property managers; they discussed the new rental ordinance and how it applies to them; several good recommendations came out of the meeting that he thinks can be brought to the Committee and implemented; they have another meeting on February 15th and they hope more property managers will be there; he thinks they understand the Township will try to ease it as much as possible to make it workable.

Ms. Gatto asked if there was any information on the Weymouth Bridge. Mayor Silva said he heard it was going to open on Wednesday.

Public Comment:

Lou Green read his letter dated February 6, 2012 that he prepared to clarify what he does as a member of the Township Veterans' Advisory Board and the purpose of what he does at the Hamilton Mall. He said he gave the Mayor a copy for each Township Committee Member and the Township Administrator and will give a copy to any citizen who wants it. Mayor Silva commented on positive articles in the Press about Mr. Green and what he does and said he hopes the Committee would continue supporting what Mr. Green does. The Mayor said he hopes Mr. Green would continue to get the Veterans' Advisory Board support so they always know where he is and what he is doing; that is important because as a self-proclaimed advocate he has become a source of information. Mayor Silva commented on Mr. Green asking the Committee to send a resolution to the Mall thanking them for their efforts and said he would like to send one that encompasses all their support of the community. The Mayor and Committee Members thanked Mr. Green for his efforts and all that he does.

Rodney Guishard commented on observing what Mr. Green does and thanked him for it.

Mr. Guishard commented the new regulations on yard waste pick up; noticing people have left plastic bags of yard waste out that aren't being picked up. He commented on the disposable bags are expensive and that he thought they were going to dump them and give them back. He said he would encourage that being allowed because it would save people a lot of money and is no different than dumping cans. Mrs. Dix suggested the intent of using disposable bags was that they are less labor intensive and it will save the Township several thousands of dollars a year. The Mayor asked Mr. Jacobs to check on it.

Mr. Guishard asked if the pavement management plan was a public document and if it was on the website. Mr. Blankenship explained they are trying to update the original and said he thinks a list of road can be put out. Ms. Gatto said she thinks Mr. Guishard is looking for and explanation of the criteria. Mrs. Dix asked if traffic counts were being done. Mr. Jacob said they aren't done for paving purposes.

Joseph Nickels thanked George Ausby and Frank Williams for their service on the Veterans' Advisory Board. He said he was thrilled with the appointment of Mr. Hand and Mr. Reed. Mr. Nickels referred to Mr. Green's letter and commented on there being 4 new members on that board who do not understand the ramifications, potential liabilities, etc. of appointing anybody to represent the Township in any capacity. He asked that the Board liaison make sure that there is a complete understanding of what is being done either in the name of the Township or the Veterans' Board at the next VAB meeting. Mayor Silva commented on Mr. Green telling him that he always had the approval and understanding of the VAB Board and asked if he would feel at ease presenting it to the Board. Mr. Green said he didn't understand the question about liability. Mayor Silva said he thought what Mr. Nickels

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was asking for could be resolved at the next VAB meeting and the Township is just asking for their continued endorsement. Ms. Gatto said she thought Mr. Nickels was saying for Mr. Green to explain and help educate the newer Board Members about what he does and the tie with the Board.

Mr. Nickels announced there will be a hearing on the State Planning Commission final draft of the Strategic State Plan and New Jersey State Development and Redevelopment Plan on February 13th at Stockton College at 6 PM; he will be attending as a member of the County Planning Board; and he thinks someone from the Township Planning Board should attend. Mr. Jacobs said he thought Mr. Sartorio participated in the infrastructure plan.

Mr. Nickels said that as the Township Committeeman that established the Veterans Advisory Board in the 90s he felt he had the position to protect it since that time.

Mayor Silva reminded the public that the next meeting will be on Tuesday, February 21st and a power point on the budget will be presented.

There being no further questions or comments from the public, Ms. Gatto moved, seconded by Mr. Cain, that the public comment portion be closed.

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

There being no further matters for consideration and action to be taken on tonight, Ms. Gatto moved, seconded by Mr. Cain, that this meeting be and is hereby adjourned.

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

ATTEST:

JOAN I. ANDERSON, R.M.C. TOWNSHIP CLERK